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JOURNAL

OF THE

House of Representatives

OF THE

1995

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

**EXTRA
SESSION 1996**

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EXTRA

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OFFICERS AND MEMBERS

OF THE

HOUSE OF REPRESENTATIVES

EXTRA SESSION 1996

Harold J. Brubaker, *Speaker* Asheboro, Randolph County
Carolyn B. Russell, *Speaker Pro Tempore* Goldsboro, Wayne County
Denise G. Weeks, *Principal Clerk* Willow Springs, Wake County
Clyde Cook, Jr., *Sergeant-at-Arms* Garner, Wake County

REPRESENTATIVES

1st District: (1) Camden, Currituck, Pasquotank, Perquimans (Part).
W.C. "Bill" Owens, Jr. (D) Pasquotank Elizabeth City

2nd District: (1) Beaufort, Craven (Part), Hyde, Pitt (Part).
Zeno L. Edwards, Jr. (R) Beaufort Washington

3rd District: (1) Craven (Part), Pamlico (Part).
John M. Nichols (R) Craven New Bern

4th District: (2) Carteret, Onslow (Part).
Jean R. Preston (R) Carteret Emerald Isle
M. Jonathan Robinson (R) Carteret Stacy

5th District: (1) Bertie (Part), Gates, Hertford (Part), Northampton.
Howard J. Hunter, Jr. (D) Northhampton ... Conway

6th District: (1) Bertie (Part), Hertford (Part), Martin (Part),
Pitt (Part), Washington (Part).
Richard Eugene Rogers (D) ... Martin Williamston

7th District: (1) Edgecombe (Part), Halifax (Part), Martin (Part), Nash (Part).
L. W. Locke (D) Halifax Enfield

8th District: (1) Edgecombe (Part), Greene (Part), Martin (Part), Pitt (Part).
Linwood E. Mercer (D) Pitt Farmville

9th District: (1) Greene (Part), Pitt (Part).
M. W. Aldridge (R) Pitt Greenville

10th District: (1) Duplin (Part), Jones (Part), Onslow (Part).
Cynthia B. Watson (R) Duplin Rose Hill

11th District: (1) Lenoir (Part), Wayne (Part).

Louis M. Pate, Jr. (R) Wayne Mount Olive

12th District: (1) Onslow (Part), Pender (Part), Sampson (Part).

Edward C. Bowen (D) Sampson Harrells

13th District: (1) New Hanover (Part).

Dan McComas (R) New Hanover . . . Wilmington

14th District: (2) Brunswick (Part), Columbus (Part), New Hanover (Part),
Robeson (Part).

Dewey L. Hill (D) Columbus Whiteville

E. David Redwine (D) Brunswick Shallotte

15th District: (1) Wake (Part).

Sam Ellis (R) Wake Raleigh

16th District: (1) Cumberland (Part), Hoke (Part), Moore (Part),
Robeson (Part), Scotland (Part).

Douglas Y. Yongue (D) Scotland Laurinburg

17th District: (2) Cumberland (Part).

Mary E. McAllister (D) Cumberland Fayetteville

Larry Shaw (D) Cumberland Fayetteville

18th District: (2) Cumberland (Part).

John W. (Bill) Hurley (D) Cumberland Fayetteville

Billy Richardson (D) Cumberland Fayetteville

19th District: (2) Harnett, Lee, Sampson (Part).

Willis Brown (D) Harnett Buies Creek

Donald Davis (R) Harnett Erwin

20th District: (1) Franklin (Part), Johnston (Part), Nash (Part).

Billy J. Creech (R) Johnston Clayton

21st District: (1) Wake (Part).

Daniel T. Blue, Jr. (D) Wake Raleigh

22nd District: (2) Franklin (Part), Granville (Part), Halifax (Part), Person,
Vance (Part), Warren (Part).

Jim Crawford (D) Granville Oxford

Michael S. Wilkins (D) Person Roxboro

23rd District: (3) Durham (Part).

Paul Luebke (D) Durham Durham
H. M. Michaux, Jr. (D) Durham Durham
George W. Miller, Jr. (D) Durham Durham

24th District: (2) Chatham (Part), Orange (Part).

Anne C. Barnes (D) Orange Chapel Hill
Joe Hackney (D) Orange Chapel Hill

25th District: (3) Alamance, Caswell, Orange (Part), Rockingham (Part).

Cary D. Allred (R) Alamance Burlington
Ken Miller (R) Alamance Mebane
Dennis Reynolds (R) Alamance Burlington

26th District: (1) Guilford (Part).

Alma Adams (D) Guilford Greensboro

27th District: (1) Davidson (Part), Guilford (Part).

Steve Wood (R) Guilford High Point

28th District: (1) Guilford (Part).

Flossie Boyd-McIntyre (D) ... Guilford Jamestown

29th District: (1) Guilford (Part).

Joanne W. Bowie (R) Guilford Greensboro

30th District: (1) Chatham (Part), Guilford (Part), Randolph (Part).

Arlie F. Culp (R) Randolph Ramseur

31st District: (1) Moore (Part).

Richard T. Morgan (R) Moore Pinehurst

32nd District: (1) Montgomery (Part), Richmond, Scotland (Part).

Hugh A. Lee (D) Richmond Rockingham

33rd District: (1) Anson, Montgomery (Part), Stanly (Part).

Foyle Hightower, Jr. (D) Anson Wadesboro

34th District: (1) Union (Part).

Fern Shubert (R) Union Marshville

35th District: (1) Rowan (Part).

Charlotte A. Gardner (R) Rowan Salisbury

36th District: (1) Mecklenburg (Part).

Jim Black (D) Mecklenburg Matthews

37th District: (1) Davidson (Part).

Paul R. McCrary (D) Davidson Lexington

38th District: (1) Guilford (Part), Randolph (Part).

Harold J. Brubaker (R) Randolph Asheboro

39th District: (1) Forsyth (Part).

Lyons Gray (R) Forsyth Winston-Salem

40th District: (3) Alleghany, Ashe, Stokes, Surry, Watauga.

Rex L. Baker (R) Stokes King

William S. (Bill) Hiatt (R) Surry Mt. Airy

Gene Wilson (R) Watauga Boone

41st District: (2) Alexander (Part), Wilkes, Yadkin.

John W. Brown (R) Wilkes Elkin

George M. Holmes (R) Yadkin Hamptonville

42nd District: (1) Iredell (Part).

Frank Mitchell (R) Iredell Olin

43rd District: (1) Catawba (Part), Iredell (Part).

C. Robert Brawley (R) Iredell Mooresville

44th District: (1) Gaston (Part), Lincoln (Part).

John R. Gamble, Jr. (D) Lincoln Lincolnton

45th District: (2) Catawba (Part), Gaston (Part), Lincoln (Part).

Cherie Killian Berry (R) Catawba Newton

Joe L. Kiser (R) Lincoln Vale

46th District: (2) Avery, Burke (Part), Caldwell (Part), Catawba (Part), Mitchell.

Charles F. Buchanan (R) Mitchell Green Mountain

Gregg Thompson (R) Mitchell Spruce Pine

47th District: (1) Burke (Part).

Walter G. Church, Sr. (D) Burke Valdese

48th District: (3) Cleveland, Gaston (Part), Polk (Part), Rutherford.

Jack Hunt (D) Cleveland Shelby

Debbie A. Clary (R) Cleveland Shelby

John Weatherly (R) Cleveland Kings Mountain

49th District: (1) Burke (Part), McDowell, Yancey.

Robert C. (Bob) Hunter (D) ... McDowell Marion

50th District: (1) Henderson (Part), Polk (Part).

Larry T. Justus (R) Henderson Hendersonville

51st District: (3) Buncombe (Part).

Lanier Cansler (R) Buncombe Asheville
Larry R. Linney (R) Buncombe Asheville
Wilma Sherrill (R) Buncombe Asheville

52nd District: (2) Graham, Haywood, Jackson (Part), Madison, Swain.

Charles M. Beall (D) Haywood Clyde
Liston B. Ramsey (D) Madison Marshall

53rd District: (1) Cherokee, Clay, Jackson (Part), Macon.

James C. Carpenter (R) Macon Otto

54th District: (1) Mecklenburg (Part).

John B. McLaughlin (D) Mecklenburg Newell

55th District: (1) Mecklenburg (Part).

W. Edwin McMahan (R) Mecklenburg Charlotte

56th District: (1) Mecklenburg (Part).

Martha Alexander (D) Mecklenburg Charlotte

57th District: (1) Mecklenburg (Part).

Connie Wilson (R) Mecklenburg Charlotte

58th District: (1) Mecklenburg (Part).

Ruth M. Easterling (D) Mecklenburg Charlotte

59th District: (1) Mecklenburg (Part).

W. Pete Cunningham (D) Mecklenburg Charlotte

60th District: (1) Mecklenburg (Part).

Beverly Earle (D) Mecklenburg Charlotte

61st District: (1) Wake (Part).

Charles B. Neely, Jr. (R) Wake Raleigh

62nd District: (1) Wake (Part).

David Miner (R) Wake Cary

63rd District: (1) Durham (Part), Wake (Part).

Arlene Pulley (R) Wake Raleigh

64th District: (1) Wake (Part).

Bob Hensley (D) Wake Raleigh

65th District: (1) Wake (Part).

Rick Eddins (R) Wake Raleigh

66th District: (1) Forsyth (Part).

Larry W. Womble (D) Forsyth Winston-Salem

67th District: (1) Forsyth (Part).

Warren C. Oldham (D) Forsyth Winston-Salem

68th District: (1) Buncombe (Part), Henderson (Part), Transylvania.

W. M. (Bill) Ives (R) Transylvania Brevard

69th District: (1) Mecklenburg (Part).

J. Shawn Lemmond (R) Mecklenburg Matthews

70th District: (1) Edgecombe (Part), Nash (Part), Wilson (Part).

Milton F. Fitch, Jr. (D). Wilson Wilson

71st District: (1) Edgecombe (Part), Nash (Part), Pitt (Part), Wilson (Part).

Norris Tolson (D) Edgecombe Pinetops

72nd District: (1) Nash (Part), Wilson (Part).

Gene Arnold (R) Nash Rocky Mount

73rd District: (1) Forsyth (Part), Rockingham (Part).

P. Wayne Sexton (R) Rockingham Stoneville

74th District: (1) Davidson (Part), Davie.

Julia Craven Howard (R) Davie Mocksville

75th District: (1) Cumberland (Part).

Alex Warner (D) Cumberland Hope Mills

76th District: (1) Gaston (Part), Mecklenburg (Part).

W. W. Dickson (R) Gaston Gastonia

77th District: (1) Greene (Part), Lenoir (Part), Wayne (Part).

Carolyn B. Russell (R) Wayne Goldsboro

78th District: (1) Granville (Part), Vance (Part), Warren (Part).

Stan Fox (D) Granville Oxford

79th District: (1) Craven (Part), Jones (Part), Lenoir (Part), Pamlico (Part).

William L. Wainwright (D) . . . Craven Havelock

80th District: (1) Onslow (Part).

Robert Grady (R) Onslow Jacksonville

81st District: (1) Cabarrus (Part), Union (Part).

Timothy N. Tallent (R) Cabarrus Concord

82nd District: (1) Cabarrus (Part), Stanly (Part), Union (Part).
Bobby H. Barbee, Sr. (R) Stanly Locust

83rd District: (1) Rowan (Part).
Eugene McCombs (R) Rowan Faith

84th District: (1) Forsyth (Part), Guilford (Part).
Michael (Mike) Decker (R) . . . Forsyth Walkertown

85th District: (1) Hoke (Part), Robeson (Part).
Ronnie Sutton (D) Robeson Pembroke

86th District: (1) Chowan, Dare, Perquimans (Part), Tyrrell, Washington (Part).
William T. Culpepper, III (D) . . Chowan Edenton

87th District: (1) Hoke (Part), Robeson (Part), Scotland (Part).
Frances M. Cummings (R) . . . Robeson Lumberton

88th District: (1) Forsyth (Part).
Theresa H. Esposito (R) Forsyth Winston-Salem

89th District: (2) Guilford (Part).
John A. Cocklereece (R) Guilford Greensboro
Joanne Sharpe (R) Guilford Greensboro

90th District: (1) Cabarrus (Part).
Robert C. Hayes (R) Cabarrus Concord

91st District: (1) Alexander (Part), Caldwell (Part), Catawba (Part).
George S. Robinson (R) Caldwell Lenoir

92nd District: (1) Durham (Part), Wake (Part).
J. Russell Capps (R) Wake Raleigh

93rd District: (1) Gaston (Part), Mecklenburg (Part).
John Rayfield (R) Gaston Belmont

94th District: (1) Davidson (Part), Randolph (Part).
Jerry C. Dockham (R) Davidson Denton

95th District: (1) Johnston (Part).
Leo Daughtry (R) Johnston Smithfield

96th District: (1) Bladen, Cumberland (Part), New Hanover (Part),
Pender (Part), Sampson (Part).
Edd Nye (D) Bladen Elizabethtown

97th District: (1) Duplin (Part), Sampson (Part), Wayne (Part).

Jerry Braswell (D) Wayne Goldsboro

98th District: (1) Brunswick (Part), Columbus (Part), New Hanover (Part),
Pender (Part).

Thomas E. Wright (D) New Hanover Wilmington

HOUSE JOURNAL

EXTRA SESSION 1996

FIRST DAY

HOUSE OF REPRESENTATIVES

Wednesday, February 21, 1996

Pursuant to a call of his Excellency, Governor James B. Hunt, Jr., hereinafter recorded, the House of Representatives of the General Assembly of North Carolina convenes in its Hall in Extra Session, at the hour of ten o'clock, Wednesday, February 21, 1996, and is called to order by the Speaker of the House, Harold J. Brubaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, hallowed be Thy name. Thy kingdom come; Thy will be done on earth as it is in Heaven. We praise You and thank You for the gift of life today. Thank You for Your providence which allows us to gather back in Raleigh to engage in the process of government. Some of us may not even believe in You, and others may have failed to talk with You for so long that we will need to be re-introduced; but others reverence Your name, and seek to walk humbly before You. Father, we know that politics is as thick in this place as a swarm of gnats in August; and November '96 looms like a hovering hawk over a covey of quail. It will swoop down on us with talons flashing; some will get away, others won't make it, but every one of us will give it our best shot. Now Father, help us with the task for which we have assembled here. May our deliberations be characterized by fairness, intelligence, justice and compassion. What history will say about us, we don't know. It may call us great, mediocre, or passive, but we do ask for and need Your blessing, because right now we are all You've got. Bless our Speaker, each Representative, clerk, and House Officer, and remind us ever that since government is ordained of God, that it should be guided always by the truth of Your Word. Through Christ, our Lord, I pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

The Reading Clerk reads the following proclamation by the Governor.

PROCLAMATION BY THE GOVERNOR**STATE OF NORTH CAROLINA**

WHEREAS, North Carolina has a thriving economy, with strong job growth and the lowest unemployment rate of the eleven largest states.

WHEREAS, after three successive reductions in the unemployment insurance tax paid by employers, the balance of the North Carolina Unemployment Trust Fund continues to exceed the amount necessary to cover unemployment claims for a two year period during a recession.

WHEREAS, an additional tax cut could be passed without endangering the solvency of the Trust Fund.

WHEREAS, changes in the Employment Security Law could reduce the tax burden for North Carolina employers, saving them \$140 million in unemployment insurance taxes in 1996 and helping encourage new investment, economic growth, and more jobs.

WHEREAS, enacting these changes before the end of the first quarter of 1996 instead of the next scheduled session of the General Assembly in May could save employers \$50 million.

WHEREAS, I have sought and received the advice of the Council of State that these circumstances constitute an extraordinary occasion within the meaning of Article III, Sec. 5(7) of the Constitution and that immediate action by the General Assembly is required and that the General Assembly should be convened into extra session to address the matter. I have also discussed the circumstances with the Lieutenant Governor, the President Pro Tempore of the Senate, and the Speaker of the North Carolina House of Representatives. They are of the same view.

NOW, THEREFORE, I, James B. Hunt, Jr., Governor of the State of North Carolina, pursuant to the authority granted to me by Article III, Sec. 5(7) of the Constitution of North Carolina, find that the circumstances stated above constitute an extraordinary occasion within the meaning of Article III, Sec. 5(7) of the Constitution of North Carolina and PROCLAIM that the General Assembly is hereby convened in an extra session for the purpose of considering legislation to enact changes to the Employment Security Law that would implement a zero tax rate for all employers with a positive unemployment insurance tax rate, allow employers with negative tax rates to qualify for the zero tax rate by pre-paying taxes, and reduce the assigned rate for new

employers from 1.8% to 1.2% and let those employers qualify sooner for a lower rate.

The extra session shall begin the 21st of February, 1996 at 10:00 a.m. and shall continue as provided by law and the rules of each House until both Houses shall have adjourned sine die.

Done in Raleigh, North Carolina, this the 25th day of January, 1996.

S/ James B. Hunt Jr.
Governor

QUORUM CALL

In order to establish a quorum, the Speaker directs an electronic call of the roll of the members of the House and the following Representatives are recorded as present: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Representative Shaw requests and is granted permission to be recorded present.

A leave of absence is granted Representative Blue for today.

One hundred fifteen members having answered the call, the Speaker declares a quorum present.

Representative Morgan is recognized and states that he has placed a resolution with the Clerk for consideration by the Body.

The Speaker directs the Principal Clerk to number the resolution and places **H.R. 1**, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 1996 EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES, before the Body.

Co-Sponsors of the resolution are as follows: Representatives Aldridge, Dockham, Eddins, Pulley, and Watson.

On motion of Representative Morgan, the resolution is adopted, by electronic vote (92-25), and ordered printed.

COMMITTEE ASSIGNMENTS

The Chair states that the Committees on Finance and Rules, Calendar, and Operations of the House are activated to meet pursuant to the rules and that the committee memberships are the same as those of the 1995 Regular Session.

SPECIAL MESSAGE TO THE SENATE

The Chair orders a message sent to the Senate informing that Honorable Body that the House of Representatives is organized and ready to proceed with public business for the 1996 Extra Session.

Representative C. Wilson is recognized and states that she has placed a bill with the Clerk for consideration by the Body.

The Speaker directs the Principal Clerk to number the bill and pursuant to **H.R. 1**, Section 1(7)a, **H.B. 2**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR 1996 FOR ALL EMPLOYERS WITH A POSITIVE EXPERIENCE RATING, ALLOW EMPLOYERS WITH A NEGATIVE RATING TO QUALIFY FOR THE ZERO RATE BY PREPAYING TAXES, REDUCE THE RATE FOR NEW EMPLOYERS FROM ONE AND EIGHT-TENTHS PERCENT TO ONE AND TWO-TENTHS PERCENT, ALLOW NEW EMPLOYERS TO QUALIFY SOONER FOR REDUCED RATES, AND AUTHORIZE A LEGISLATIVE RESEARCH COMMISSION STUDY, is read the first time and referred to the Committee on Finance.

Sponsors for the bill are Representatives C. Wilson and Daughtry; Co-Sponsors are Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowie, J. Brown, Buchanan, Cansler, Capps, Church, Clary, Creech, Culp, Davis, Decker, Dockham, Eddins, Ellis, Esposito, Fox, Gardner, Gray, Hiatt, Hill, Holmes, Justus, Locke, McComas, McCombs,

McMahan, Mercer, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, G. Robinson, Russell, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Watson, Wilkins, G. Wilson, and Wood.

Representative Morgan is recognized and states that he has placed a resolution with the Clerk for consideration by the Body.

The Speaker directs the Principal Clerk to number the resolution and pursuant to **H.R. 1**, Section 1(7)a, **H.J.R. 3**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1996 EXTRA SESSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Co-Sponsors are Representatives Aldridge, Baker, Barbee, Beall, Capps, Church, Culp, Dockham, Eddins, Esposito, Hiatt, Hill, Holmes, Mitchell, Preston, Pulley, Rayfield, G. Robinson, Russell, Sharpe, Shubert, Sutton, Watson, and G. Wilson.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

February 21, 1996

Mr. Speaker:

It is ordered that a message be sent the House of Representatives informing that Honorable Body that the Senate is convened, pursuant to the Proclamation issued by the Governor, January 25, 1996, and is now organized and ready to proceed with the public business of the State in Extraordinary Session.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of the Chair, the House recesses at 10:15 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORT OF STANDING COMMITTEE

The following report from standing committee is presented:

By Representatives Gray, Arnold, and C. Wilson, Co-Chairs for the Committee on Finance:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR 1996 FOR ALL EMPLOYERS WITH A POSITIVE EXPERIENCE RATING, ALLOW EMPLOYERS WITH A NEGATIVE RATING TO QUALIFY FOR THE ZERO RATE BY PREPAYING TAXES, REDUCE THE RATE FOR NEW EMPLOYERS FROM ONE AND EIGHT-TENTHS PERCENT TO ONE AND TWO-TENTHS PERCENT, ALLOW NEW EMPLOYERS TO QUALIFY SOONER FOR REDUCED RATES, AND AUTHORIZE A LEGISLATIVE RESEARCH COMMISSION STUDY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on today's Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

February 21, 1996

Mr. Speaker:

It is ordered that a message be sent the House of Representatives transmitting the following bill: **S.B. 2**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR 1996 FOR ALL EMPLOYERS WITH A POSITIVE EXPERIENCE RATING, ALLOW EMPLOYERS WITH A NEGATIVE RATING TO QUALIFY FOR THE ZERO RATE BY PREPAYING TAXES, REDUCE THE RATE FOR NEW EMPLOYERS FROM ONE AND EIGHT-TENTHS PERCENT TO ONE AND TWO-TENTHS PERCENT, ALLOW NEW EMPLOYERS TO QUALIFY SOONER FOR REDUCED RATES, AND AUTHORIZE A LEGISLATIVE RESEARCH COMMISSION STUDY.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

Representative Daughtry is recognized and states **S.B. 2** to be identical to **H.B. 2**.

Pursuant to **H.R. 1**, Section 1 (6), **S.B. 2** is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

Representatives Fox, Justus, Thompson, H. Hunter, Shubert and Watson request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (118-1).

The bill passes its third reading and is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative C. Wilson and without objection, **H.B. 2**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR 1996 FOR ALL EMPLOYERS WITH A POSITIVE EXPERIENCE RATING, ALLOW EMPLOYERS WITH A NEGATIVE RATING TO QUALIFY FOR THE ZERO RATE BY PREPAYING TAXES, REDUCE THE RATE FOR NEW EMPLOYERS FROM ONE AND EIGHT-TENTHS PERCENT TO ONE AND TWO-TENTHS PERCENT, ALLOW NEW EMPLOYERS TO QUALIFY SOONER FOR REDUCED RATES, AND AUTHORIZE A LEGISLATIVE RESEARCH COMMISSION STUDY, is withdrawn from the Calendar and re-referred to the Committee on Finance.

REPORT OF STANDING COMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1996 EXTRA SESSION, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on today's Calendar.

The resolution passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

Representatives Fox, Justus, Thompson, H. Hunter, Shubert and Watson request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (118-0).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

February 21, 1996

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully advising that the Senate has concluded the business of the Extra Session of the 1995 General Assembly and pursuant to the ratification of **H.J.R. 3, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1996 EXTRA SESSION**, stands ready to open the doors of the Senate immediately upon receipt of a message from the House of Representatives that your Honorable Body is ready to open the doors to the end that the gavels may fall simultaneously and adjournment be declared sine die.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 2, AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR 1996 FOR ALL EMPLOYERS WITH A POSITIVE EXPERIENCE RATING, ALLOW EMPLOYERS WITH A NEGATIVE RATING TO QUALIFY FOR THE ZERO RATE BY PREPAYING TAXES, REDUCE THE RATE FOR NEW EMPLOYERS FROM ONE AND EIGHT-TENTHS PERCENT TO ONE AND TWO-TENTHS PERCENT, ALLOW NEW EMPLOYERS TO QUALIFY SOONER FOR REDUCED RATES, AND AUTHORIZE A LEGISLATIVE RESEARCH COMMISSION STUDY. (CHAPTER 1)

**H.J.R. 3, A JOINT RESOLUTION PROVIDING FOR
ADJOURNMENT SINE DIE OF THE 1996 EXTRA SESSION.
(RESOLUTION 1)**

Representative Morgan moves, seconded by Representative Black, that the 1995 House of Representatives meeting in Extra Session under call of the Governor adjourn sine die. The motion carries.

The Speaker orders that a message be sent to the Senate informing that Honorable Body that the House has concluded the public business for which it was convened and stands ready to adjourn the 1995 General Assembly, 1996 Extra Session, sine die.

The Sergeant-at-Arms is directed to open the doors.

The doors of the Senate are opened and the President stands ready to let the gavel fall. The Speaker sounds the gavel and declares the 1996 Extra Session of the 1995 General Assembly adjourned **sine die**.

Denise G. Weeks

Principal Clerk

ADDENDUM

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of a majority of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) When a member moves that the Rule be suspended, and this motion carries by at least a majority vote of the members present.
- (2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Denise G. Weeks
Principal Clerk

APPENDIX

EXTRA SESSION 1996

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H.R. 1, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 1996 EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES.

Be it resolved by the House of Representatives:

Section 1. The permanent rules of the 1995 Regular Session of the House of Representatives, with the following amendments, are adopted as the permanent rules of the 1996 Extra Session:

- (1) Notwithstanding Rule 27, the standing committees of the House are:
 - a. Finance; and
 - b. Rules, Calendar, and Operations of the House.
- (2) Notwithstanding Rule 31(a), all bills and resolutions shall be introduced by submitting same to the Principal Clerk's office.
- (3) Notwithstanding Rule 31(g), the only resolutions that may be introduced or considered in the House are resolutions adjourning the Extra Session sine die. All bills shall be excluded from introduction or consideration in the House, other than those requested by the Governor's Proclamation dated January 25, 1996, convening the Extra Session: to enact changes to the Employment Security Law that would implement a zero tax rate for all employers with a positive unemployment insurance tax rate, allow employers with negative tax rates to qualify for the zero tax rate by prepaying taxes, and reduce the assigned rate for new employers from one and eight-tenths percent (1.8%) to one and two-tenths percent (1.2%) and let those employers qualify sooner for a lower rate. Such bill may also include provisions authorizing the Legislative Research Commission to study issues relating to the State's Employment Security Law, Chapter 96 of the General Statutes.
- (4) Notwithstanding Rule 31.1, all bills or resolutions must be introduced not later than 2:00 p.m. on Wednesday, February 21, 1996.
- (5) Notwithstanding Rule 36, House bills and resolutions do not have to be reported from the standing committee to which referred.
- (6) Notwithstanding Rule 36(a), when a standing committee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar on the day designated by the Chair of the Committee on Rules, Calendar, and Operations of the House, except that in the absence of the Chair of the Committee on Rules, Calendar, and Operations of the House, the Speaker may take such action, and except that

bills on the Public Consent Calendar shall be placed on the favorable calendar as provided by Rule 40. In order to place a bill on the calendar for a legislative day, notice shall be given orally in the House, or notice shall be given in writing to the Principal Clerk.

(7) Notwithstanding Rule 41:

a. The first reading and reference to a standing committee of a House bill shall occur on the legislative day of its introduction. The first reading and reference to a standing committee of a Senate bill shall occur on the legislative day of its receipt on messages from the Senate. Provided that, notwithstanding Rule 32 and Rule 38, if the Senate bill is identical to a House bill already on the calendar, the Speaker may, after first reading, place the Senate bill on the calendar. The Speaker shall give notice at each subsequent reading whether it be the second or third reading.

b. No bill shall be read more than once on the same day without the concurrence of a majority of the members present and voting; provided, no bill governed by Article II, Section 23 of the North Carolina Constitution or described in Rule 20(a)(2) shall be read twice on any one day in any circumstance.

(8) Notwithstanding Rule 43.2, a Senate amendment to a bill originating in the House shall be placed on the calendar for the legislative day on which the House receives the Senate amendment.

(9) Notwithstanding Rule 43.3(a), whenever the Senate has adopted a committee substitute for a bill originating in the House, and has returned the bill to the House for concurrence in that committee substitute, the bill shall be placed on the calendar for the legislative day on which the House receives that committee substitute.

(10) Notwithstanding Rule 44(d), a conference report shall be placed on the calendar for the legislative day of the report.

Sec. 2. This resolution is effective upon adoption.

NORTH CAROLINA HOUSE OF REPRESENTATIVES**Office of the Speaker****TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES**

Whereas, various and sundry matters relative to the operations of several departments of the Executive Branch have been made the subject of management letters, audits and further public reports; and

Whereas, North Carolina General Statutes 147-64.6, (c)(12) requires the State Auditor to report apparent violations of penal statutes or apparent instances of malfeasance, misfeasance or nonfeasance to the Governor and the Attorney General; and

Whereas, these management letters, audits and other allegations have been the subject of widespread commentary in the press and electronic media causing public concern and questions of public trust;

NOW, THEREFORE;

Section 1. Pursuant to the authority vested in me by Resolution 1. of the North Carolina House of Representatives, Session 1995, Section V, Rule 26(a), and Article 5(A), Section 120-19.1 et seq., of the North Carolina General Statutes, I do hereby establish:

**THE SELECT INVESTIGATIVE COMMITTEE ON
EXECUTIVE COMPLIANCE**

The following members of the North Carolina House of Representatives are appointed as members of this Select Committee:

Representative Richard T. Morgan - Chair
Representative Jim Black
Representative Jim Crawford
Representative Lyons Gray
Representative Julia Howard
Representative Danny McComas

Section 2. It shall be the duty of this Select Investigative Committee to examine witnesses, documents, tape recordings, electronic communications, and any other information or other working papers, audits or communications of any kind as it may deem necessary concerning the application, administration, practice and legal compliance of the

Executive Branch in seeing that the laws be faithfully executed.

Section 3. The Select Investigative Committee is hereby vested with all of the authority set out in Article 5A of Chapter 120 of the General Statutes including, but not limited to, the authority to administer oaths, examine under oath, the issuance of subpoenas pursuant to N.C.G.S. 120-19.2(c), and to request data and information pursuant to N.C.G.S. 120-19.

Section 4. The Select Investigative Committee is authorized to meet during sessions of the General Assembly, during recesses, and in the interim periods between sessions, upon the call of its' chair.

Section 5. Members of the Select Investigative Committee shall receive per diem, subsistence and travel allowance at the rate established in 120-3.1.

Section 6. The expenses of the Select Investigative Committee including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to N.C.G.S. 120-32.02(c) and 120-35 from funds available to the House of Representatives for its operations.

Section 7. The members of this Select Investigative Committee serve at the pleasure of the Speaker of the House who may dissolve the Select Investigative Committee at any time before 31 December 1996, at which time this Select Investigative Committee shall dissolve.

Effective this 4th day of January, 1996.

S/ Harold J. Brubaker
Speaker of the North Carolina
House of Representatives

Attest:

S/ Denise Weeks
Principal Clerk

**BILLS BY INTRODUCER
EXTRA SESSION 1996**

*DENOTES PRINCIPAL INTRODUCER

ADAMS, ALMA S.

BILLS INTRODUCED - NONE.

ALDRIDGE, M. W.

BILLS INTRODUCED - 1, 2, 3.

ALEXANDER, MARTHA B.

BILL INTRODUCED - 2.

ALLRED, CARY D.

BILL INTRODUCED - 2.

ARNOLD, GENE G.

BILL INTRODUCED - 2.

BAKER, REX L.

BILLS INTRODUCED - 2, 3.

BARBEE, BOBBY H., SR.

BILLS INTRODUCED - 2, 3.

BARNES, ANNE C.

BILLS INTRODUCED - NONE.

BEALL, CHARLES M.

BILLS INTRODUCED - 2, 3.

BERRY, CHERIE K.

BILL INTRODUCED - 2.

BLACK, JAMES B.

BILL INTRODUCED - 2.

BLUE, DANIEL T., JR.

BILLS INTRODUCED - NONE.

BOWEN, EDWARD C.

BILLS INTRODUCED - NONE.

BOWIE, JOANNE W.
BILL INTRODUCED - 2.

BOYD-MCINTYRE, FLOSSIE
BILLS INTRODUCED - NONE.

BRASWELL, JERRY
BILLS INTRODUCED - NONE.

BRAWLEY, C. ROBERT
BILLS INTRODUCED - NONE.

BROWN, JOHN W.
BILL INTRODUCED - 2.

BROWN, WILLIS D.
BILLS INTRODUCED - NONE.

BRUBAKER, HAROLD J.
BILLS INTRODUCED - NONE.

BUCHANAN, CHARLES F.
BILL INTRODUCED - 2.

CANSLER, LANIER M.
BILL INTRODUCED - 2.

CAPPS, J. RUSSELL
BILLS INTRODUCED - 2, 3.

CARPENTER, JAMES C.
BILLS INTRODUCED - NONE.

CHURCH, WALTER G., SR.
BILLS INTRODUCED - 2, 3.

CLARY, DEBBIE A.
BILL INTRODUCED - 2.

COCKLEREECE, JOHN A.
BILLS INTRODUCED - NONE.

CRAWFORD, JAMES W., JR.
BILLS INTRODUCED - NONE.

CREECH, BILLY J.
BILL INTRODUCED - 2.

CULP, ARLIE F.
BILLS INTRODUCED - 2, 3.

CULPEPPER, WILLIAM T., III
BILLS INTRODUCED - NONE.

CUMMINGS, FRANCES M.
BILLS INTRODUCED - NONE.

CUNNINGHAM, W. PETE
BILLS INTRODUCED - NONE.

DAUGHTRY, N. LEO
BILL INTRODUCED - *2.

DAVIS, DONALD
BILL INTRODUCED - 2.

DECKER, MICHAEL P.
BILL INTRODUCED - 2.

DICKSON, WALTER W.
BILLS INTRODUCED - NONE.

DOCKHAM, JERRY C.
BILLS INTRODUCED - 1, 2, 3.

EARLE, BEVERLY
BILLS INTRODUCED - NONE.

EASTERLING, RUTH M.
BILLS INTRODUCED - NONE.

EDDINS, RICKY L.
BILLS INTRODUCED - 1, 2, 3.

EDWARDS, ZENO L., JR.
BILLS INTRODUCED - NONE.

ELLIS, J. SAM
BILL INTRODUCED - 2.

ESPOSITO, THERESA H.
BILLS INTRODUCED - 2, 3.

FITCH, MILTON F., JR.
BILLS INTRODUCED - NONE.

FOX, STAN
BILL INTRODUCED - 2.

GAMBLE, JOHN R., JR.
BILLS INTRODUCED - NONE.

GARDNER, CHARLOTTE A.
BILL INTRODUCED - 2.

GRADY, ROBERT
BILLS INTRODUCED - NONE.

GRAY, LYONS
BILL INTRODUCED - 2.

HACKNEY, JOE
BILLS INTRODUCED - NONE.

HAYES, ROBERT C.
BILLS INTRODUCED - NONE.

HENSLEY, ROBERT J., JR.
BILLS INTRODUCED - NONE.

HIATT, WILLIAM S.
BILLS INTRODUCED - 2, 3.

HIGHTOWER, FOYLE R., JR.
BILLS INTRODUCED - NONE.

HILL, DEWEY
BILLS INTRODUCED - 2, 3.

HOLMES, GEORGE M.
BILLS INTRODUCED - 2, 3.

HOWARD, JULIA C.
BILLS INTRODUCED - NONE.

HUNT, JACK
BILLS INTRODUCED - NONE.

HUNTER, HOWARD J., JR.
BILLS INTRODUCED - NONE.

HUNTER, ROBERT C.
BILLS INTRODUCED - NONE.

HURLEY, JOHN W.
BILLS INTRODUCED - NONE.

IVES, WILLIAM M.
BILLS INTRODUCED - NONE.

JUSTUS, LARRY T.
BILL INTRODUCED - 2.

KISER, JOE L.
BILLS INTRODUCED - NONE.

LEE, HUGH A.
BILLS INTRODUCED - NONE.

LEMOND, J. SHAWN
BILLS INTRODUCED - NONE.

LINNEY, LARRY R.
BILLS INTRODUCED - NONE.

LOCKE, L. W.
BILL INTRODUCED - 2.

LUEBKE, PAUL
BILLS INTRODUCED - NONE.

MCALLISTER, MARY E.
BILLS INTRODUCED - NONE.

MCCOMAS, DANIEL F.
BILL INTRODUCED - 2.

MCCOMBS, W. EUGENE
BILL INTRODUCED - 2.

MCCRARY, PAUL R.
BILLS INTRODUCED - NONE.

MCLAUGHLIN, JOHN B.
BILLS INTRODUCED - NONE.

MCMAHAN, WILLIAM E.
BILL INTRODUCED - 2.

MERCER, LINWOOD E.
BILL INTRODUCED - 2.

MICHAUX, H. M., JR.
BILLS INTRODUCED - NONE.

MILLER, GEORGE W., JR.
BILL INTRODUCED - 2.

MILLER, KEN J.
BILL INTRODUCED - 2.

MINER, DAVID
BILLS INTRODUCED - NONE.

MITCHELL, W. FRANKLIN
BILLS INTRODUCED - 2, 3.

MORGAN, RICHARD T.
BILLS INTRODUCED - *1, 2, *3.

NEELY, CHARLES B., JR.
BILL INTRODUCED - 2.

NICHOLS, JOHN M.
BILL INTRODUCED - 2.

NYE, EDD
BILLS INTRODUCED - NONE.

OLDHAM, WARREN C.
BILLS INTRODUCED - NONE.

OWENS, WILLIAM C., JR.
BILLS INTRODUCED - NONE.

PATE, LOUIS M., JR.
BILL INTRODUCED - 2.

PRESTON, JEAN R.
BILLS INTRODUCED - 2, 3.

PULLEY, ARLENE C.
BILLS INTRODUCED - 1, 2, 3.

RAMSEY, LISTON B.
BILL INTRODUCED - 2.

RAYFIELD, JOHN M.
BILLS INTRODUCED - 2, 3.

REDWINE, E. DAVID
BILLS INTRODUCED - NONE.

REYNOLDS, DENNIS A.
BILL INTRODUCED - 2.

RICHARDSON, WILLIAM O.
BILLS INTRODUCED - NONE.

ROBINSON, GEORGE S.
BILLS INTRODUCED - 2, 3.

ROBINSON, M. JONATHAN
BILLS INTRODUCED - NONE.

ROGERS, R. EUGENE
BILLS INTRODUCED - NONE.

RUSSELL, CAROLYN B.
BILLS INTRODUCED - 2, 3.

SEXTON, P. WAYNE
BILLS INTRODUCED - NONE.

SHARPE, JOANNE P.
BILLS INTRODUCED - 2, 3.

SHAW, LARRY
BILLS INTRODUCED - NONE.

SHERRILL, WILMA M.
BILL INTRODUCED - 2.

SHUBERT, FERN H.
BILLS INTRODUCED - 2, 3.

SUTTON, RONNIE N.
BILLS INTRODUCED - 2, 3.

TALLENT, TIMOTHY N.
BILL INTRODUCED - 2.

THOMPSON, GREGORY J.
BILL INTRODUCED - 2.

TOLSON, E. NORRIS
BILL INTRODUCED - 2.

WAINWRIGHT, WILLIAM L.
BILLS INTRODUCED - NONE.

WARNER, ALEX
BILLS INTRODUCED - NONE.

WATSON, CYNTHIA BAILEY
BILLS INTRODUCED - 1, 2, 3.

WEATHERLY, JOHN H.
BILLS INTRODUCED - NONE.

WILKINS, MICHAEL S.
BILL INTRODUCED - 2.

WILSON, CONSTANCE K.
BILL INTRODUCED - *2.

WILSON, GENE
BILLS INTRODUCED - 2, 3.

WOMBLE, LARRY W.
BILLS INTRODUCED - NONE.

WOOD, STEPHEN W.
BILL INTRODUCED - 2.

WRIGHT, THOMAS E.
BILLS INTRODUCED - NONE.

YONGUE, DOUGLAS Y.
BILLS INTRODUCED - NONE.

SECOND
SESSION 1996

**RATIFIED BILL BY CHAPTER
EXTRA SESSION 1996**

Chapter Number	Bill Number
1	S 2

RATIFIED RESOLUTION BY NUMBER

Res. Number	Bill Number
1	H 3

JOURNAL
OF THE
House of Representatives
OF THE
1995
GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA

SECOND
SESSION 1996

OFFICERS AND MEMBERS

OF THE

HOUSE OF REPRESENTATIVES

SECOND SESSION 1996

Harold J. Brubaker, *Speaker*.....Asheboro, Randolph County
Carolyn B. Russell, *Speaker Pro Tempore*.....Goldsboro, Wayne County
Denise G. Weeks, *Principal Clerk*.....Willow Springs, Wake County
Clyde Cook, Jr., *Sergeant-at-Arms*.....Garner, Wake County

REPRESENTATIVES

1st District: (1) Camden, Currituck, Pasquotank, Perquimans (Part).
W.C. "Bill" Owens, Jr. (D) Pasquotank Elizabeth City

2nd District: (1) Beaufort, Craven (Part), Hyde, Pitt (Part).
Zeno L. Edwards, Jr. (R) Beaufort Washington

3rd District: (1) Craven (Part), Pamlico (Part).
John M. Nichols (R) Craven New Bern

4th District: (2) Carteret, Onslow (Part).
Jean R. Preston (R) Carteret Emerald Isle
M. Jonathan Robinson (R) Carteret Stacy

5th District: (1) Bertie (Part), Gates, Hertford (Part), Northampton.
Howard J. Hunter, Jr. (D) Northhampton . . Conway

6th District: (1) Bertie (Part), Hertford (Part), Martin (Part),
Pitt (Part), Washington (Part).
Richard Eugene Rogers (D) . . . Martin Williamston

7th District: (1) Edgecombe (Part), Halifax (Part), Martin (Part), Nash (Part).
L. W. Locke (D) Halifax Enfield

8th District: (1) Edgecombe (Part), Greene (Part), Martin (Part), Pitt (Part).
Linwood E. Mercer (D) Pitt Farmville

9th District: (1) Greene (Part), Pitt (Part).
M. W. Aldridge (R) Pitt Greenville

10th District: (1) Duplin (Part), Jones (Part), Onslow (Part).
Cynthia B. Watson (R) Duplin Rose Hill

11th District: (1) Lenoir (Part), Wayne (Part).

Louis M. Pate, Jr. (R) Wayne Mount Olive

12th District: (1) Onslow (Part), Pender (Part), Sampson (Part).

Edward C. Bowen (D) Sampson Harrells

13th District: (1) New Hanover (Part).

Dan McComas (R) New Hanover Wilmington

14th District: (2) Brunswick (Part), Columbus (Part), New Hanover (Part), Robeson (Part).

Dewey L. Hill (D) Columbus Whiteville

E. David Redwine (D) Brunswick Shallotte

15th District: (1) Wake (Part).

Sam Ellis (R) Wake Raleigh

16th District: (1) Cumberland (Part), Hoke (Part), Moore (Part), Robeson (Part), Scotland (Part).

Douglas Y. Yongue (D) Scotland Laurinburg

17th District: (2) Cumberland (Part).

Mary E. McAllister (D) Cumberland Fayetteville

Larry Shaw (D) Cumberland Fayetteville

18th District: (2) Cumberland (Part).

John W. (Bill) Hurley (D) Cumberland Fayetteville

Billy Richardson (D) Cumberland Fayetteville

19th District: (2) Harnett, Lee, Sampson (Part).

Willis Brown (D) Harnett Buies Creek

Donald Davis (R) Harnett Erwin

20th District: (1) Franklin (Part), Johnston (Part), Nash (Part).

Billy J. Creech (R) Johnston Clayton

21st District: (1) Wake (Part).

Daniel T. Blue, Jr. (D) Wake Raleigh

22nd District: (2) Franklin (Part), Granville (Part), Halifax (Part), Person, Vance (Part), Warren (Part).

Jim Crawford (D) Granville Oxford

Michael S. Wilkins (D) Person Roxboro

23rd District: (3) Durham (Part).

Paul Luebke (D) Durham Durham

H. M. Michaux, Jr. (D) Durham Durham

George W. Miller, Jr. (D) Durham Durham

24th District: (2) Chatham (Part), Orange (Part).

Anne C. Barnes (D) Orange Chapel Hill

Joe Hackney (D) Orange Chapel Hill

25th District: (3) Alamance, Caswell, Orange (Part), Rockingham (Part).

Cary D. Allred (R) Alamance Burlington

Ken Miller (R) Alamance Mebane

Dennis Reynolds (R) Alamance Burlington

26th District: (1) Guilford (Part).

Alma Adams (D) Guilford Greensboro

27th District: (1) Davidson (Part), Guilford (Part).

Steve Wood (R) Guilford High Point

28th District: (1) Guilford (Part).

Flossie Boyd-McIntyre (D) ... Guilford Jamestown

29th District: (1) Guilford (Part).

Joanne W. Bowie (R) Guilford Greensboro

30th District: (1) Chatham (Part), Guilford (Part), Randolph (Part).

Arlie F. Culp (R) Randolph Ramseur

31st District: (1) Moore (Part).

Richard T. Morgan (R) Moore Pinehurst

32nd District: (1) Montgomery (Part), Richmond, Scotland (Part).

Hugh A. Lee (D) Richmond Rockingham

33rd District: (1) Anson, Montgomery (Part), Stanly (Part).

Foyle Hightower, Jr. (D) Anson Wadesboro

34th District: (1) Union (Part).

Fern Shubert (R) Union Marshville

35th District: (1) Rowan (Part).

Charlotte A. Gardner (R) Rowan Salisbury

36th District: (1) Mecklenburg (Part).

Jim Black (D) Mecklenburg Matthews

37th District: (1) Davidson (Part).

Paul R. McCrary (D) Davidson Lexington

38th District: (1) Guilford (Part), Randolph (Part).

Harold J. Brubaker (R) Randolph Asheboro

39th District: (1) Forsyth (Part).

Lyons Gray (R)	Forsyth	Winston-Salem
----------------	-------	---------	-------	---------------

40th District: (3) Alleghany, Ashe, Stokes, Surry, Watauga.

Rex L. Baker (R)	.....	Stokes	.....	King
William S. (Bill) Hiatt (R)	....	Surry	.....	Mt. Airy
Gene Wilson (R)	.....	Watauga	.....	Boone

41st District: (2) Alexander (Part), Wilkes, Yadkin.

John W. Brown (R)	.....	Wilkes	.....	Elkin
George M. Holmes (R)	Yadkin	Hamptonville

42nd District: (1) Iredell (Part).

Frank Mitchell (R)	Iredell	Olin
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43rd District: (1) Catawba (Part), Iredell (Part).

C. Robert Brawley (R)	Iredell	Mooresville
-----------------------	-------	---------	-------	-------------

44th District: (1) Gaston (Part), Lincoln (Part).

John R. Gamble, Jr. (D)	Lincoln	Lincolnton
-------------------------	-------	---------	-------	------------

45th District: (2) Catawba (Part), Gaston (Part), Lincoln (Part).

Cherie Killian Berry (R)	.....	Catawba	.....	Newton
Joe L. Kiser (R)	.....	Lincoln	.....	Vale

46th District: (2) Avery, Burke (Part), Caldwell (Part), Catawba (Part), Mitchell.

Charles F. Buchanan (R)	.....	Mitchell	.....	Green Mountain
Gregg Thompson (R)	.....	Mitchell	.....	Spruce Pine

47th District: (1) Burke (Part).

Walter G. Church, Sr. (D)	Burke	Valdese
---------------------------	------	-------	-------	---------

48th District: (3) Cleveland, Gaston (Part), Polk (Part), Rutherford.

Jack Hunt (D)	.....	Cleveland	.....	Shelby
Debbie A. Clary (R)	.....	Cleveland	.....	Shelby
John Weatherly (R)	.....	Cleveland	.....	Kings Mountain

49th District: (1) Burke (Part), McDowell, Yancey.

Robert C. (Bob) Hunter (D)	...	McDowell	Marion
----------------------------	-----	----------	-------	--------

50th District: (1) Henderson (Part), Polk (Part).

Larry T. Justus (R)	Henderson	Hendersonville
---------------------	-------	-----------	-------	----------------

51st District: (3) Buncombe (Part).

Lanier Cansler (R)	.....	Buncombe	.....	Asheville
Larry R. Linney (R)	.....	Buncombe	.....	Asheville
Wilma Sherrill (R)	.....	Buncombe	.....	Asheville

- 52nd District: (2) Graham, Haywood, Jackson (Part), Madison, Swain.
Charles M. Beall (D) Haywood Clyde
Liston B. Ramsey (D) Madison Marshall
- 53rd District: (1) Cherokee, Clay, Jackson (Part), Macon.
James C. Carpenter (R) Macon Otto
- 54th District: (1) Mecklenburg (Part).
John B. McLaughlin (D) Mecklenburg Newell
- 55th District: (1) Mecklenburg (Part).
W. Edwin McMahan (R) Mecklenburg Charlotte
- 56th District: (1) Mecklenburg (Part).
Martha Alexander (D) Mecklenburg Charlotte
- 57th District: (1) Mecklenburg (Part).
Connie Wilson (R) Mecklenburg Charlotte
- 58th District: (1) Mecklenburg (Part).
Ruth M. Easterling (D) Mecklenburg Charlotte
- 59th District: (1) Mecklenburg (Part).
W. Pete Cunningham (D) Mecklenburg Charlotte
- 60th District: (1) Mecklenburg (Part).
Beverly Earle (D) Mecklenburg Charlotte
- 61st District: (1) Wake (Part).
Charles B. Neely, Jr. (R) Wake Raleigh
- 62nd District: (1) Wake (Part).
David Miner (R) Wake Cary
- 63rd District: (1) Durham (Part), Wake (Part).
Arlene Pulley (R) Wake Raleigh
- 64th District: (1) Wake (Part).
Bob Hensley (D) Wake Raleigh
- 65th District: (1) Wake (Part).
Rick Eddins (R) Wake Raleigh
- 66th District: (1) Forsyth (Part).
Larry W. Womble (D) Forsyth Winston-Salem
- 67th District: (1) Forsyth (Part).
Warren C. Oldham (D) Forsyth Winston-Salem

68th District: (1) Buncombe (Part), Henderson (Part), Transylvania.

W. M. (Bill) Ives (R) Transylvania Brevard

69th District: (1) Mecklenburg (Part).

J. Shawn Lemmond (R) Mecklenburg Matthews

70th District: (1) Edgecombe (Part), Nash (Part), Wilson (Part).

Milton F. Fitch, Jr. (D). Wilson Wilson

71st District: (1) Edgecombe (Part), Nash (Part), Pitt (Part), Wilson (Part).

Norris Tolson (D) Edgecombe Pinetops

72nd District: (1) Nash (Part), Wilson (Part).

Gene Arnold (R) Nash Rocky Mount

73rd District: (1) Forsyth (Part), Rockingham (Part).

P. Wayne Sexton (R) Rockingham Stoneville

74th District: (1) Davidson (Part), Davie.

Julia Craven Howard (R) Davie Mocksville

75th District: (1) Cumberland (Part).

Alex Warner (D) Cumberland Hope Mills

76th District: (1) Gaston (Part), Mecklenburg (Part).

W. W. Dickson (R) Gaston Gastonia

77th District: (1) Greene (Part), Lenoir (Part), Wayne (Part).

Carolyn B. Russell (R) Wayne Goldsboro

78th District: (1) Granville (Part), Vance (Part), Warren (Part).

Stan Fox (D) Granville Oxford

79th District: (1) Craven (Part), Jones (Part), Lenoir (Part), Pamlico (Part).

William L. Wainwright (D) . . . Craven Havelock

80th District: (1) Onslow (Part).

Robert Grady (R) Onslow Jacksonville

81st District: (1) Cabarrus (Part), Union (Part).

Timothy N. Tallent (R) Cabarrus Concord

82nd District: (1) Cabarrus (Part), Stanly (Part), Union (Part).

Bobby H. Barbee, Sr. (R) Stanly Locust

83rd District: (1) Rowan (Part).

Eugene McCombs (R) Rowan Faith

84th District: (1) Forsyth (Part), Guilford (Part).

Michael (Mike) Decker (R) . . . Forsyth Walkertown

85th District: (1) Hoke (Part), Robeson (Part).

Ronnie Sutton (D) Robeson Pembroke

86th District: (1) Chowan, Dare, Perquimans (Part), Tyrrell, Washington (Part).

William T. Culpepper, III (D) . Chowan Edenton

87th District: (1) Hoke (Part), Robeson (Part), Scotland (Part).

Frances M. Cummings (R) Robeson Lumberton

88th District: (1) Forsyth (Part).

Theresa H. Esposito (R) Forsyth Winston-Salem

89th District: (2) Guilford (Part).

John A. Cocklereece (R) Guilford Greensboro

Joanne Sharpe (R) Guilford Greensboro

90th District: (1) Cabarrus (Part).

Robert C. Hayes (R) Cabarrus Concord

91st District: (1) Alexander (Part), Caldwell (Part), Catawba (Part).

George S. Robinson (R) Caldwell Lenoir

92nd District: (1) Durham (Part), Wake (Part).

J. Russell Capps (R) Wake Raleigh

93rd District: (1) Gaston (Part), Mecklenburg (Part).

John Rayfield (R) Gaston Belmont

94th District: (1) Davidson (Part), Randolph (Part).

Jerry C. Dockham (R) Davidson Denton

95th District: (1) Johnston (Part).

Leo Daughtry (R) Johnston Smithfield

96th District: (1) Bladen, Cumberland (Part), New Hanover (Part),
Pender (Part), Sampson (Part).

Edd Nye (D) Bladen Elizabethtown

97th District: (1) Duplin (Part), Sampson (Part), Wayne (Part).

Jerry Braswell (D) Wayne Goldsboro

98th District: (1) Brunswick (Part), Columbus (Part), New Hanover
(Part), Pender (Part).

Thomas E. Wright (D) New Hanover . . . Wilmington

HOUSE JOURNAL

SECOND SESSION 1996

ONE HUNDRED NINTH DAY

HOUSE OF REPRESENTATIVES

Monday, May 13, 1996

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, here we are again gathered in this place to participate in the process of government. I know that we do not always act very much like we think that we need You, but we do Lord; and some have been praying earnestly for these sessions before we got here. Father, we know that governing is serious business because it involves the life stuff of people, right and wrong, justice and injustice, wealth and poverty, crime and punishment, economy and education. And, Lord, we've got to attempt to satisfy all these needs while threading through that maze of contradictions called politics. Then add to that the obstacle course of media, disgruntled constituents, and hostile committees, and we can understand why the cowards never get started and the weak die on the way. But this is democracy, Lord, and to be honest with You, democracy itself has some 'bumfuzzling' quirks and turns. For instance, the greatest strength of a democracy is that it's people elect their own government officials, and the greatest weakness is that these public officials have to run for re-election. Now, Lord, nobody but You can pull off this juggling act and get anything really positive done. That's why I'm praying. So bless these men and women, Lord, and guide our Speaker. Bless our Principal Clerk and her staff, all our personal secretaries and assistants, the Sergeant-at-Arms and his staff, all House Officers and mechanical personnel. And, may this session called 'short' not be short on good government, but may we render worthy and long enduring service to the people of our districts and this state. In thy name we pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 29, 1995, has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (108-1).

Leaves of absence are granted Representatives Barbee, Gamble, Tallent, and Wainwright for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

Papers that were addressed to the House of Representatives from Phillip S. Banks, III were received in the office of the Principal Clerk on January 18, January 19, January 31, and February 8 of 1996. It is noted that the papers are available for inspection in the office of the Principal Clerk.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

Pursuant to Resolution 15 of the 1995 Session, the Ethics Committee met and the following report is presented:

Representative Howard submits the following resolution for introduction.

A HOUSE RESOLUTION CENSORING REPRESENTATIVE KEN MILLER FOR STATEMENTS AND ACTIONS THAT CONSTITUTE CONDUCT UNBECOMING AND UNFITTING FOR A MEMBER OF THE HOUSE OF REPRESENTATIVES.

The Speaker directs the Principal Clerk to number the resolution and **H.R. 1106** is before the Body as a question of privilege of the House.

Representative Hensley offers Amendment No. 1.

The Speaker rules that the amendment is not germane and the amendment is returned to the member.

The resolution is adopted, by electronic vote (111-2), and ordered printed.

Representatives Justus and Wainwright request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (113-1).

Representative K. Miller is called to the Well of the House and the following resolution of censure is read in its entirety.

**A HOUSE RESOLUTION CENSURING
REPRESENTATIVE KEN MILLER FOR STATEMENTS AND
ACTIONS THAT CONSTITUTE CONDUCT UNBECOMING AND
UNFITTING FOR A MEMBER OF THE HOUSE OF
REPRESENTATIVES**

Whereas, as authorized by the Speaker, the House Ethics Committee conducted an investigation into the conduct of Representative Ken J. Miller since the convening of the 1995 General Assembly, said investigation having been initiated by a complaint made by Representative Billy Creech to the Committee; and

Whereas, the Committee undertook to have the conduct of Representative Ken J. Miller investigated; and

Whereas, the results of the investigation were presented to the Committee; and

Whereas, as a result of the investigative report, the Committee charged Representative Ken J. Miller with four counts of unethical conduct by a member of the House of Representatives, conduct unbecoming or unfitting for a member of the House of Representatives, or abuse of office held by a member of the House of Representatives, which the Committee determined should be considered against Representative Ken J. Miller; and

Whereas, following the presentment of charges to him, Representative Ken J. Miller acknowledged by letter that his statements and actions were inappropriate and constituted conduct unbecoming or unfitting for a member of the House of Representatives, and waived the presentment of evidence on the charges; and

Whereas, the Committee found that in or about March 1995, while serving as a member of the North Carolina House of Representatives, Representative Ken J. Miller made unsolicited and inappropriate remarks and comments of a sexual nature to a female employee of the General Assembly; and

Whereas, the Committee found that in or about April 1995, while serving as a member of the North Carolina House of Representatives, Representative Ken J. Miller made certain unsolicited and inappropriate remarks and comments of a sexual nature to a female person registered and acting as a

lobbyist before the North Carolina General Assembly; and

Whereas, the Committee found that during the week of July 9 through 15, 1995, Representative Ken J. Miller, while serving as a member of the North Carolina House of Representatives, made certain unsolicited and inappropriate remarks and comments of a sexual nature to a 16-year-old female House page; and

Whereas, the Committee found that during the week of July 9 through 15, 1995, Representative Ken J. Miller, while serving as a member of the North Carolina House of Representatives, made certain unsolicited and inappropriate physical contact with a female House page; and

Whereas, the Committee found that the conduct of Representative Ken J. Miller constituted conduct unbecoming and unfitting for a member of the House of Representatives; and

Whereas, the Committee found that the appropriate sanction against Representative Ken J. Miller for his conduct is censure by the House, Now, therefore, be it resolved by the House of Representatives:

Section 1. Representative Ken J. Miller is hereby censured for conduct unbecoming and unfitting for a member of the House of Representatives as found by the House Ethics Committee.

Sec. 2. Further, Representative Ken J. Miller shall forthwith be called to the Well of the House to receive this censure, at which time this Resolution of Censure shall be read to Representative Ken J. Miller.

Sec. 3. This resolution is effective upon adoption.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Cummings, Hill, Redwine, Sutton, and Yongue:

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE COMPLETION OF THE SOUTHEASTERN FARMERS' MARKET AND EQUESTRIAN/AGRICULTURAL CENTER FACILITY, is referred to the Committee on Appropriations.

By Representatives Cummings, Allred, Black, Grady, Hill, McMahan, Owens, Preston, Redwine, Rogers, Sutton, and Yongue:

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO CHANGE THE NAME OF PEMBROKE STATE UNIVERSITY TO THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, is referred to the Committee on Education.

By Representatives Luebke, Alexander, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, W. Brown, Cunningham, Easterling, Fitch, Fox, Hackney, Hensley, Hill, H. Hunter, R. Hunter, Hurley, Mercer, G. Miller, Oldham, Ramsey, Redwine, Sutton, Tolson, Wilkins, Womble, and Yongue:

H.B. 1073, A BILL TO BE ENTITLED AN ACT TO REDUCE THE STATE SALES TAX ON FOOD FROM FOUR PERCENT TO THREE PERCENT, is referred to the Committee on Finance.

By Representatives J. Robinson, Cummings, Edwards, Hill, Preston, and Redwine:

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF NEW SHELLFISH CULTIVATION LEASES IN CORE BANKS, TO ESTABLISH A MORATORIUM ON SHELLFISH LEASES IN THE REMAINING AREA IN CARTERET COUNTY, AND TO REQUIRE THAT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE STUDY THE SHELLFISH LEASE PROGRAM, is referred to the Committee on Health and Environment.

By Representatives Preston, Cummings, Edwards, Redwine, and J. Robinson:

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXPIRATION DATE ON THE ENDORSEMENT TO SELL PROGRAM SET FORTH IN CHAPTER 516 OF THE 1993 SESSION LAWS, is referred to the Committee on Health and Environment.

By Representatives Preston, Cummings, Edwards, Redwine, and J. Robinson:

H.B. 1076, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE FISHERY RESOURCE GRANT PROGRAM IN THE NORTH CAROLINA SEA GRANT COLLEGE PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Health and

Environment.

By Representatives Preston, Cummings, Edwards, Redwine, and J. Robinson:

H.B. 1077, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO ALLOW EMPLOYEES ON SHELLFISH LEASES AND FRANCHISES TO WORK WITHOUT POSSESSING AN INDIVIDUAL SHELLFISH LICENSE, is referred to the Committee on Health and Environment.

By Representatives Preston, Cummings, Edwards, Redwine, and J. Robinson:

H.B. 1078, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DATE OF THE MORATORIUM STEERING COMMITTEE'S FINAL REPORT AND TO EXTEND THE DATE THAT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE IS REQUIRED TO REPORT, is referred to the Committee on Health and Environment.

By Representatives Hayes, Aldridge, Allred, Arnold, Baker, Bowie, J. Brown, Buchanan, Cansler, Capps, Carpenter, Cocklereece, Creech, Culp, Cummings, Davis, Decker, Dickson, Eddins, Edwards, Esposito, Gardner, Gray, Hiatt, Hill, Holmes, Ives, Justus, Linney, McComas, McCombs, Mitchell, Morgan, Nichols, Pate, Preston, Pulley, Rayfield, Reynolds, J. Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Weatherly, C. Wilson, and G. Wilson:

H.B. 1079, A BILL TO BE ENTITLED AN ACT TO PHASE OUT OVER FOUR YEARS THE FOUR PERCENT STATE SALES TAX ON FOOD AND REDUCE THE SIZE OF STATE GOVERNMENT BY AUTHORIZING THE GOVERNOR TO FREEZE HIRING FOR STATE EMPLOYEES OTHER THAN EDUCATION, PUBLIC SAFETY, PUBLIC HEALTH, AND OTHER APPROPRIATE POSITIONS, is referred to the Committee on Finance.

INTRODUCTION OF PAGES

Pages for the week of May 13-17 are introduced to the membership. They are: Jesse B. Alford, III of Wake; Stephanie Nicole Blevins of Yadkin; Kelly Suzanne Boyd of Wake; Lauren Collins of New Hanover; Eric Lamar Currie

of Wake; Mindy Jean Daniel of Rowan; Kelly Finch of Vance; Candice N. Freeman of Henderson; Devron Kenneth Furr of Stanly; Angie Hamilton of Henderson; Sarah E. Keener of Forsyth; Erica Susanne Kilgo of Henderson; Heather Amanda Love of Wake; Lisa Dianne McCall of Vance; Ervin Joseph Myers of Wake; Thomas Elliott Peace of Vance; Matthew Grant Smith of Gaston; Ellen Taylor Stanley of Buncombe; Gilbert Thomas of Wake; Natalie Wade of Randolph; Glynis Joy Wells of Vance; Helen Williams of New Hanover.

**SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996**

SENATE CHAMBER
May 13, 1996

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that pursuant to the Proclamation issued by Governor James B. Hunt, Jr., on May 9, 1996, **JOHN MARSHALL BLUST** is appointed to fill the seat vacated by the death of Senator Thomas B. Sawyer. Senator Blust is seated with full privileges as a member of the Senate representing the **32nd SENATORIAL DISTRICT** for the remainder of the 1995 General Assembly of North Carolina.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

On motion of Representative Morgan, seconded by Representative Locke, the House adjourns at 12:42 p.m. in memory of those who lost their lives in the tragic fire at the University of North Carolina in Chapel Hill, to reconvene May 14 at 1:00 p.m.

ONE HUNDRED TENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 14, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, we reverence Your name and stand in awe at the miracle and mystery of life. I'm not sure that we were all prepared for a first day like yesterday. It made chill bumps play digital soccer up and down my spine. It was like jumping into a Scandinavian sauna of human emotion. The heart rending tragedies of five young lives snuffed out, the horror of 109 lost at sea in air disaster. And, then we all felt the pathos and agony of the human spirit as we were witness to pillorying in our midst, and were reminded of how fragile and vulnerable we mortals are. Then politics exploded all around us like a German Eighty-eight barrage. It was then that I was able to lift my head and look out into the faces of the men and women of this House; and in those faces I saw compassion, purpose, determination, and intelligence. Politics, yes, but freedom too. Freedom to believe, to work, to accomplish. We all will seek to do what we feel is best for our people and for our party, as we ought to do. We will do our best to promote, lobby, change, rebut, refer, and amend. Father, these people love their work, and nothing short of health, death, or the voters will stop them. I don't mean to be irreverent, Lord, but they remind me in a way of a man who loved the game of golf. One day on the third hole, his buddy Ed dropped dead. Someone asked him if that wasn't hard on him. He said, 'Yes, because after the third hole it was hit the ball and drag Ed. You love these people, Lord, and they love their work; and so use them to work Your will and Your way for what is best for the people of our state. And remind all of us, 'that the fear of the Lord is the beginning of wisdom, and a good understanding is given to all who keep His commandments'. (Psalm 111:10) In Thy name we pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-2).

Leaves of absence are granted Representatives Esposito and G. Robinson for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1079, A BILL TO BE ENTITLED AN ACT TO PHASE OUT OVER FOUR YEARS THE FOUR PERCENT STATE SALES TAX ON FOOD AND REDUCE THE SIZE OF STATE GOVERNMENT BY AUTHORIZING THE GOVERNOR TO FREEZE HIRING FOR STATE EMPLOYEES OTHER THAN EDUCATION, PUBLIC SAFETY, PUBLIC HEALTH, AND OTHER APPROPRIATE POSITIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 15.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Owens:

H.B. 1080, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING, TRAPPING, AND TAKING OF FOXES AT ANY TIME IN CURRITUCK AND PASQUOTANK COUNTIES AND TO PROVIDE THAT THE WILDLIFE RESOURCES COMMISSION SHALL SET THE STARTING AND QUITTING TIMES FOR THE TAKING OF WATERFOWL IN CURRITUCK SOUND AND ITS TRIBUTARIES AT ALL TIMES OF THE YEAR, is referred to the Committee on Local and Regional Government I.

By Representative Owens:

H.B. 1081, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP, QUALIFICATIONS FOR APPOINTMENT, AND TERMS OF THE TRUSTEES FOR ALBEMARLE HOSPITAL IN PASQUOTANK COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Ellis, Allred, Brawley, Cansler, Justus, Linney, McComas, Preston, Pulley, J. Robinson, Sexton, and Sherrill:

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF FIVE THOUSAND OR MORE, is referred to the Committee on Finance.

By Representatives Ellis, Allred, Brawley, Justus, Preston, Pulley, J. Robinson, Sexton, and Sherrill:

H.B. 1083, A BILL TO BE ENTITLED AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S EXTRA-TERRITORIAL PLANNING AND ZONING JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING AGENCY, is referred to the Committee on Finance.

By Representatives Ellis, Allred, Brawley, Cansler, Justus, Preston, Pulley, J. Robinson, Sexton, and Sherrill:

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF LESS THAN FIVE THOUSAND, is referred to the Committee on Finance.

By Representative J. Brown:

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN ESTABLISHING AND SUPPORTING AN ASSISTANT COUNTY FOREST RANGER IN WILKES COUNTY, is referred to the Committee on Appropriations.

By Representatives Lemmond, Sharpe, and Thompson:

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE 1995 WORKERS' COMPENSATION INSURANCE LOSS COSTS RATING LAWS, is referred to the Committee on Insurance.

By Representatives Lemmond, Buchanan, Crawford, McComas, McMahan, Pate, Pulley, Sharpe, Sherrill, and Thompson:

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR WORKERS' COMPENSATION FOR VOLUNTEER FIRE DEPARTMENT AND RESCUE/EMS WORKERS, is referred to the Committee on Insurance and, if favorable, to the Committee on Appropriations.

By Representatives Lemmond, Sharpe, and Thompson:

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENT FOR HOSPITAL REIMBURSEMENT IN WORKERS' COMPENSATION CASES, is referred to the Committee on Insurance.

By Representatives Lemmond, Crawford, McMahan, G. Miller, and Sharpe:

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS FROM THE INDUSTRIAL COMMISSION TO THE NORTH CAROLINA COURT OF APPEALS, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary I.

By Representatives Lemmond, Allred, Buchanan, Cocklereece, Crawford, McComas, McMahan, G. Miller, Sexton, Sharpe, and Thompson:

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT FOR WORKERS' COMPENSATION COVERAGE FOR SUBCONTRACTORS WITH NO EMPLOYEES, is referred to the Committee on Insurance and, if favorable, to the Committee on Business and Labor.

By Representatives Lemmond, Crawford, McComas, McMahan, G. Miller, Sharpe, and Thompson:

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO CONFORM THE PENALTY FOR WORKERS' COMPENSATION FRAUD TO THE PENALTY FOR INSURANCE FRAUD AND TO RAISE THE PENALTIES FOR CERTAIN OTHER WORKERS' COMPENSATION OFFENSES FROM CLASS 1 MISDEMEANORS TO CLASS H FELONIES, is referred to the Committee on Insurance and, if favorable, to the Committee on Judiciary II.

By Representatives Neely, Blue, Cansler, Capps, Church, McMahan, G. Robinson, Shaw, and Shubert:

H.B. 1092, A BILL TO BE ENTITLED AN ACT TO ENHANCE COMPLIANCE AND ENFORCEMENT OF EXISTING TAX LAWS BY APPROPRIATING FUNDS TO EXPAND THE NUMBER OF AUDITORS AND SUPPORT PERSONNEL IN THE INTERSTATE AUDIT DIVISION OF THE DEPARTMENT OF REVENUE, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Neely, Allred, Blue, Cansler, Capps, Church, Crawford, Hill, Justus, McComas, McMahan, G. Robinson, Sexton, Shaw, Shubert, and Thompson:

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX

REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA, is referred to the Committee on Finance.

By Representatives Cansler, Blue, Capps, Church, McComas, Neely, G. Robinson, Shaw, and Shubert:

H.B. 1094, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE IMPOSITION OF A FAILURE TO PAY PENALTY WHEN ADDITIONAL TAX DUE IS PAID AT THE TIME AN AMENDED RETURN IS FILED OR WITHIN THIRTY DAYS AFTER THE ADDITIONAL TAX WAS ASSESSED, is referred to the Committee on Finance.

By Representatives Cansler, Blue, Capps, Church, Neely, G. Robinson, Shaw, and Shubert:

H.B. 1095, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF REVENUE FOR PERSONNEL TO CARRY OUT THE RESPONSIBILITY FOR COLLECTING THE GROSS PREMIUMS TAX, WHICH WAS TRANSFERRED FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Cansler, Blue, Capps, Church, Neely, G. Robinson, Shaw, and Shubert:

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING THE REMAINDER OF THE GROSS PREMIUMS TAX FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE AND TO CLARIFY RELATED STATUTES, is referred to the Committee on Finance.

By Representative Ives:

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF BREVARD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO FORMER OWNERS OR ADJOINING OWNERS WITH OR WITHOUT CONSIDERATION, is referred to the Committee on Local and Regional Government II.

By Representatives Yongue, Hurley, McAllister, Richardson, Shaw, and Warner:

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CUMBERLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, is referred to the Committee on Local and Regional Government I.

By Representatives Neely, Blue, Cansler, Capps, Church, McComas, G. Robinson, Shaw, and Shubert:

H.B. 1099, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CORPORATE INCOME TAX CARRYFORWARD FOR NET ECONOMIC LOSSES FROM FIVE YEARS TO FIFTEEN YEARS, is referred to the Committee on Finance.

By Representatives Daughtry, Arnold, Barnes, Buchanan, Church, Crawford, Cunningham, Davis, Hackney, Hill, H. Hunter, Justus, McComas, Owens, Pate, Preston, Rayfield, J. Robinson, Sexton, Sharpe, and Shubert:

H.B. 1100, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Daughtry, Arnold, Hill, Rayfield, Sexton, and Shubert:

H.B. 1101, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO MAKE PERMANENT THE REQUIREMENT THAT COUNTIES USE PART OF THE TWO HALF-CENT LOCAL SALES TAX PROCEEDS ONLY FOR PUBLIC SCHOOL BUILDINGS, is referred to the Committee on Education and, if favorable, to the Committee on Finance.

By Representatives Daughtry, Arnold, Gray, Hill, Owens, Preston, Rayfield, J. Robinson, Sexton, and Shubert:

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT

THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO DIRECT THE STATE BOARD OF EDUCATION AND THE LOCAL GOVERNMENT COMMISSION TO MODIFY THEIR ACCOUNTING AND REPORTING SYSTEMS TO ALLOW TRACKING OF LOCAL EXPENDITURES IN SCHOOLS' CAPITAL OUTLAY FUNDS, TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A UNIFORM SYSTEM FOR SCHOOLS TO DEVELOP FIVE-YEAR CAPITAL NEEDS PLANS, AND TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Daughtry, Arnold, Church, Hill, Justus, Owens, Preston, Rayfield, J. Robinson, Sexton, Shubert, and G. Wilson:

H.B. 1103, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO ALLOW LOCAL SCHOOL ADMINISTRATIVE UNITS IN CERTAIN COUNTIES TO ENTER INTO CONTRACTS FOR THE ERECTION OR REPAIR OF SCHOOL BUILDINGS WITH ANY PERSON, is referred to the Committee on Education and, if favorable, to the Committee on Judiciary I.

By Representatives Daughtry, Arnold, Barnes, Buchanan, Crawford, Cunningham, Hackney, Hill, H. Hunter, Owens, Preston, Rayfield, J. Robinson, and Shubert:

H.B. 1104, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO ESTABLISH THE SCHOOL FACILITIES TRUST FUND TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO REDUCE THE PRESSURE ON THE LOCAL PROPERTY TAX, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representatives Daughtry, Arnold, Gray, Hill, Owens, Preston, Rayfield, and Shubert:

H.B. 1105, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO CLARIFY THAT THE STATE

BOARD OF EDUCATION IS TO ESTABLISH SCHOOL FACILITIES GUIDELINES, TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH A CENTRAL CLEARINGHOUSE FOR PROTOTYPE DESIGNS OF SCHOOL FACILITIES, TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH THE SCHOOL FACILITIES TASK FORCE, AND TO MAKE AN APPROPRIATION TO IMPLEMENT THIS ACT, is referred to the Committee on Education and, if favorable, to the Committee on Appropriations.

By Representative K. Miller:

H.B. 1107, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE DELIVERY OF PUBLIC ASSISTANCE SERVICES TO REQUIRE FAMILIES TO MOVE FROM WELFARE DEPENDENCY TO SELF-SUFFICIENCY AND TO APPROPRIATE FUNDS TO PROVIDE THE NECESSARY SUPPORT AND RESTRUCTURING, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Holmes, Creech, Esposito, Hill, McMahan, and Rayfield:

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is referred to the Committee on Appropriations.

By Representatives Holmes, Creech, Esposito, Hill, McMahan, and Rayfield:

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is referred to the Committee on Appropriations.

By Representatives Holmes, Creech, Esposito, Hill, McMahan, and Rayfield:

H.B. 1110, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is referred to the Committee on

Appropriations.

By Representatives Easterling, Alexander, Black, Cunningham, Dickson, Earle, Lemmond, McLaughlin, McMahan, and Rayfield:

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A REGIONAL MEDICAL EXAMINER OFFICE IN MECKLENBURG COUNTY, is referred to the Committee on Appropriations.

By Representatives Cummings, Sutton, and Yongue:

H.B. 1112, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MAXTON TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE TO THE HISTORIC PRESERVATION FOUNDATION OF NORTH CAROLINA, INC., A NONPROFIT CORPORATION, is referred to the Committee on Local and Regional Government II.

By Representatives Carpenter, Cansler, Clary, Davis, Kiser, Pate, Rayfield, J. Robinson, Sexton, Sharpe, Watson, and G. Wilson:

H.B. 1113, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MOTOR VEHICLE SAFETY INSPECTION, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Carpenter, Buchanan, Cansler, Cocklereece, Davis, Pate, Rayfield, Sexton, Thompson, and Watson:

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO INCREASE UNIFORM JAIL FEES AND MAKE THOSE FEES MANDATORY AS PART OF ALL SENTENCES UNLESS THE JUDGE ORDERS OTHERWISE, is referred to the Committee on Judiciary II and, if favorable, to the Committee on Finance.

By Representative Bowen:

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Bowen:

H.B. 1116, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE

CLINTON-SAMPSON AGRI-CIVIC CENTER COMMISSION, is referred to the Committee on Local and Regional Government I.

By Representatives J. Brown and Rayfield:

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW, is referred to the Committee on Agriculture and, if favorable, to the Committee on Judiciary II.

By Representatives Carpenter and Rayfield:

H.B. 1118, A BILL TO BE ENTITLED AN ACT TO ALLOW CHEROKEE COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS LOCAL BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives Shaw, Blue, Cansler, Capps, Church, Neely, G. Robinson, and Shubert:

H.B. 1119, A BILL TO BE ENTITLED AN ACT TO DELETE THE REQUIREMENT THAT A COMPANY ADD BACK TO ITS NET WORTH FRANCHISE TAX BASE THE AMOUNT OF ITS LOANS THAT ARE PAYABLE TO AN UNRELATED COMPANY BUT ARE ENDORSED OR GUARANTEED BY A RELATED COMPANY, AS RECOMMENDED BY THE DEPARTMENT OF REVENUE, is referred to the Committee on Finance.

By Representatives Shaw, Blue, Cansler, Capps, Church, Neely, G. Robinson, and Shubert:

H.B. 1120, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE FOR LIENHOLDERS ON MANUFACTURED HOMES TO REGISTER FOR NOTIFICATION OF DELINQUENT PROPERTY TAXES ON THE HOMES AND, ONCE REGISTERED, TO BE ABLE TO REPOSSESS A HOME BY PAYING NO MORE THAN TWO YEARS' PROPERTY TAXES, is referred to the Committee on Finance.

By Representatives McCombs, Buchanan, Justus, and Thompson:

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO PROVIDE POSTRETIREMENT INCREASES IN THE BENEFITS OF RETIREES AND OTHER BENEFICIARIES OF THE TEACHERS' AND STATE

EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Finance.

By Representatives Beall and Ramsey:

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO ALLOW SWAIN COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES, is referred to the Committee on Local and Regional Government II.

By Representatives Cummings, Sutton, and Yongue:

H.B. 1123, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF MAXTON FOR PLANNING COSTS RELATED TO THE RESTORATION OF THE PATTERSON BUILDING, AN HISTORIC FLATIRON STRUCTURE LOCATED IN THE TOWN OF MAXTON, is referred to the Committee on Appropriations.

On motion of Representative Morgan, seconded by Representative Fox, the House adjourns at 1:15 p.m. to reconvene May 15 at 1:00 p.m.

ONE HUNDRED ELEVENTH DAY

HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, we are just getting started in this session; committee members feeling out each other, probing for weaknesses, planning counter attack, developing strategy, polishing debate. Well and good, but never let us forget that our business is people. We will touch the lives of thousands that we will never see. What will that touch be? Jesus asked in Luke's Gospel (Luke 8:45) 'Who touched Me?' It was a woman, sick twelve

years, in a crowd who touched Him, and she was healed. We are all in this legislative crowd, and in the back flow of each bill we will be touched. But who are we? Who touched us? Parents, grandparents, that's eight. Go back ten generations and a thousand and twenty-four parent people touched us, good and bad. We are them, attitudes, temperament, values, genetically, and influentially. Trace back the law that governs our relationships, that gives protection, value, and security. Someone breathed life into that bill for good or ill. Someone touched us. And, we here are in the touching and being touched business. Father, we should handle law as if it were Divine, and in a sense it is. Therefore, let us pass into law only that which will uplift and bless and heal. When the public asks, 'who touched me'? May each one of us be able to reply, 'Someone who cared'. Through Christ our Lord, Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 14 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-0).

Leaves of absence are granted Representatives Dockham, Richardson, and G. Robinson for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Nichols for the Committee on Health and Environment:

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF NEW SHELLFISH CULTIVATION LEASES IN CORE BANKS, TO ESTABLISH A MORATORIUM ON SHELLFISH LEASES IN THE REMAINING AREA IN CARTERET COUNTY, AND TO REQUIRE THAT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE STUDY THE SHELLFISH LEASE PROGRAM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 16.

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXPIRATION DATE ON THE ENDORSEMENT TO SELL PROGRAM SET FORTH IN CHAPTER 516 OF THE 1993 SESSION LAWS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 16.

H.B. 1076, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE FISHERY RESOURCE GRANT PROGRAM IN THE NORTH CAROLINA SEA GRANT COLLEGE PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1078, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DATE OF THE MORATORIUM STEERING COMMITTEE'S FINAL REPORT AND TO EXTEND THE DATE THAT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE IS REQUIRED TO REPORT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 16.

By Representative Neely for the Committee on Judiciary II:

S.B. 843, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES REGARDING ANTITRUST LAW TO ENSURE THAT THESE PROVISIONS ARE INTERNALLY CONSISTENT AND CONSISTENT WITH FEDERAL ANTITRUST LAWS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative McCombs for the Committee on Pensions and Retirement:

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO PROVIDE POSTRETIREMENT INCREASES IN THE BENEFITS OF RETIREES AND OTHER BENEFICIARIES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Warner, Hurley, McAllister, and Yongue:

H.B. 1124, A BILL TO BE ENTITLED AN ACT TO EXTEND THE BEAVER DAMAGE CONTROL PROGRAM AND TO ADD CUMBERLAND COUNTY TO THAT PROGRAM, is referred to the Committee on Appropriations.

By Representative Capps:

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO ALLOW ONE-STOP BALLOTS TO BE DIRECTLY INSERTED IN OPTICAL SCAN TABULATORS IN WAKE COUNTY AS IF THE BALLOTS WERE BEING VOTED AT THE PRECINCT, is referred to the Committee on Local and Regional Government II.

By Representative Capps:

H.B. 1126, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WHO ARE UNABLE TO GO TO THE POLLS BECAUSE OF OBSERVANCE OF A RELIGIOUS HOLIDAY TO CAST AN ABSENTEE BALLOT, is referred to the Committee on Judiciary II.

By Representatives Capps, Blue, Cansler, Church, Neely, G. Robinson, Shaw, and Shubert:

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION OF THE MEMBERS OF THE PROPERTY TAX COMMISSION AND TO PROVIDE FOR REGIONAL HEARINGS, is referred to the Committee on Finance and, if favorable, to the Committee on Appropriations.

By Representatives Allred, Culp, Mitchell, Sexton, and Tolson:

H.B. 1128, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO STATE RULE REGULATING DRINKING WATER STANDARDS AND TESTING MAY BE MORE RESTRICTIVE THAN THE FEDERAL LAW, is referred to the Committee on Health and Environment.

By Representative Owens:

H.B. 1129, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK, CAMDEN, AND PASQUOTANK COUNTIES TO CHOOSE FROM A MENU OF LOCAL REVENUE OPTIONS, SUBJECT TO APPROVAL BY THE VOTERS OF THE RESPECTIVE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Owens:

H.B. 1130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, is referred to the Committee on Local and Regional Government II.

By Representative Owens:

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO PERMIT EXTENSION OF CANDIDATE FILING FOR LOCAL OFFICES IN PASQUOTANK COUNTY WHEN THE COUNTY BOARD OF ELECTIONS OFFICE IS CLOSED ON THE LAST DAY FOR FILING DUE TO SEVERE WEATHER CONDITIONS, is referred to the Committee on Local and Regional Government II.

By Representative Owens:

H.B. 1132, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN CURRITUCK COUNTY BEFORE THE ISSUANCE BY THE COUNTY OF SUBDIVISION APPROVAL, is referred to the Committee on Local and Regional Government II.

By Representative Owens:

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT IN PASQUOTANK COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Nichols:

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives Nichols and Wainwright:

H.B. 1135, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATUTE WHICH NAMED "NEW ROAD" IN CRAVEN COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Nichols and Wainwright:

H.B. 1136, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF NEW BERN TO DONATE UNCLAIMED BICYCLES TO CHARITY, is referred to the Committee on Local and Regional Government I.

By Representative Miner:

H.B. 1137, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF FUQUAY-VARINA TO REVIEW ANY REQUEST FOR WITHDRAWAL OF DEDICATION OF ANY STREET OR STREET EASEMENT BEFORE ANY DEDICATION CAN BE WITHDRAWN, is referred to the Committee on Local and Regional Government I.

By Representative Miner:

H.B. 1138, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU, is referred to the Committee on Local and Regional Government I.

By Representatives Sherrill, Crawford, Culp, Hurley, Justus, Pulley, Rayfield, and Thompson:

H.B. 1139, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE REVIEW OF GRIEVANCES FILED BY STATE EMPLOYEES AND APPLICANTS FOR STATE EMPLOYMENT, is referred to the Committee

on State Government and, if favorable, to the Committee on Judiciary II.

By Representatives Tolson, Arnold, Fitch, Locke, and Mercer:

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BATTLEBORO TO SCHEDULE AN ADVISORY REFERENDUM ON ITS MERGER INTO THE CITY OF ROCKY MOUNT, is referred to the Committee on Local and Regional Government II.

By Representatives McLaughlin, Barbee, Bowen, Bowie, Crawford, Holmes, McMahan, Miner, and Sherrill:

H.B. 1141, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO USE DIFFERENT COLOR BORDERS TO DISTINGUISH THE AGE OF LICENSE HOLDERS, THEREBY MAKING IT EASIER TO ISSUE DUPLICATE LICENSES BY MAIL WHEN THE PHOTOGRAPH ON THE ORIGINAL LICENSE IS A DIGITIZED IMAGE, is referred to the Committee on Transportation.

By Representatives McLaughlin, Barbee, Bowen, Bowie, Crawford, Holmes, McMahan, and Miner:

H.B. 1142, A BILL TO BE ENTITLED AN ACT TO PROHIBIT VEHICLE TOWING OF PERSONS ON SLEDS OR SIMILAR DEVICES, is referred to the Committee on Transportation.

By Representatives Crawford and Fox:

H.B. 1143, A BILL TO BE ENTITLED AN ACT TO ALLOW VANCE COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I.

By Representatives Crawford, Justus, Sexton, Thompson, and Wilkins:

H.B. 1144, A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL AND TO ENUMERATE ITS DUTIES, is referred to the Committee on State Government and, if favorable, to the Committee on Finance.

By Representatives Crawford and Fox:

H.B. 1145, A BILL TO BE ENTITLED AN ACT EXTENDING

RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON, is referred to the Committee on Local and Regional Government I.

By Representatives Shubert, Baker, Daughtry, McMahan, Rayfield, Sexton, and Sherrill:

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES, is referred to the Committee on Education.

By Representatives Shubert, Blue, Cansler, Capps, Church, Neely, G. Robinson, Shaw, and Watson:

H.B. 1147, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, is referred to the Committee on Finance.

By Representatives Pulley and Sherrill (Co-Sponsors); Culp, McMahan, Rayfield, and Thompson:

H.B. 1148, A BILL TO BE ENTITLED AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE DECENTRALIZATION OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS, is referred to the Committee on State Government.

By Representative Edwards:

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS PERTAINING TO LICENSED PHYSICIAN REGISTRATION WITH THE NORTH CAROLINA MEDICAL BOARD, is referred to the Committee on Judiciary II.

By Representative Edwards:

H.B. 1150, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE AN INCREASE IN FEES THAT MAY BE CHARGED BY HEALTH CARE PROVIDERS FOR COPYING MEDICAL RECORDS UNDER CERTAIN

CIRCUMSTANCES, is referred to the Committee on Finance.

By Representatives Preston, Edwards, Redwine, and J. Robinson:

H.B. 1151, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES FOR THE SHELLFISH SANITATION BRANCH IN THE ENVIRONMENTAL HEALTH SECTION OF THE DIVISION OF HEALTH, is referred to the Committee on Appropriations.

By Representatives Preston and J. Robinson (Co-Sponsors):

H.B. 1152, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE PURCHASE OF THE TOWN CREEK PROPERTY SITE FOR THE EXPANSION OF THE NORTH CAROLINA MARITIME MUSEUM, is referred to the Committee on Appropriations.

By Representatives Preston and J. Robinson (Co-Sponsors):

H.B. 1153, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO PROVIDE TRAINING TO STATE AND LOCAL LAW ENFORCEMENT OFFICERS IN THE IDENTIFICATION OF ACCIDENT-TRAUMA VICTIMS IN ORDER TO FACILITATE TIMELY IDENTIFICATION OF POTENTIAL ORGAN AND TISSUE DONORS AND TO PROVIDE FOR THE IDENTIFICATION OF ACCIDENT-TRAUMA VICTIMS, is referred to the Committee on Appropriations.

By Representative Watson:

H.B. 1154, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXTRATERRITORIAL PLANNING JURISDICTION OF THE TOWN OF WALLACE, is referred to the Committee on Local and Regional Government I.

By Representatives Kiser, Carpenter, Clary, Cocklereece, Easterling, Justus, McComas, Mercer, Pulley, Rayfield, Redwine, J. Robinson, Sexton, Sharpe, Thompson, and G. Wilson:

H.B. 1155, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE TO PROVIDE FOR THE EVACUATION OF STATE BUILDINGS AND GROUNDS IN THE

EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS, is referred to the Committee on State Government.

By Representatives Brawley and Mitchell:

H.B. 1156, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, is referred to the Committee on Local and Regional Government II.

By Representatives Cansler, Arnold, W. Brown, Justus, Linney, Mercer, and Weatherly:

H.B. 1157, A BILL TO BE ENTITLED AN ACT TO CODIFY THE STATE BOARD OF ELECTIONS' RULING CONCERNING CONTRIBUTIONS TO STATE CAMPAIGNS BY FEDERAL COMMITTEES, is referred to the Committee on Judiciary II.

By Representatives Cansler, Arnold, W. Brown, Linney, Mercer, Rayfield, and Weatherly:

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOLDING THE CANVASS FOR PRIMARIES AND ELECTIONS ON THE THIRD RATHER THAN THE SECOND DAY AFTER ELECTION DAY, is referred to the Committee on Judiciary II.

By Representatives Cansler, Arnold, W. Brown, Mercer, Rayfield, and Weatherly:

H.B. 1159, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON DESIGNATION OF EMPLOYMENT SECURITY COMMISSION OFFICES AS VOTER REGISTRATION AGENCIES AND TO PROVIDE FOR FUNDING, is referred to the Committee on Judiciary II.

By Representatives Cansler, Arnold, W. Brown, Justus, Linney, Mercer, Rayfield, and Weatherly:

H.B. 1160, A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS IN THE 1994 LEGISLATION DESIGNED TO BRING NORTH CAROLINA INTO COMPLIANCE WITH THE NATIONAL VOTER REGISTRATION ACT, is referred to the Committee on Judiciary II.

By Representatives Cansler, W. Brown, Hill, Justus, Linney, and Mercer:

H.B. 1161, A BILL TO BE ENTITLED AN ACT TO ADD TO THE MODES OF ELECTION THAT MAY BE CHOSEN LOCALLY FOR CITY AND COUNTY GOVERNMENTS THE FOLLOWING: CUMULATIVE VOTING AND PREFERENCE VOTING, is referred to the Committee on Judiciary II.

By Representatives Cansler, Arnold, W. Brown, Hill, Justus, Linney, Mercer, Rayfield, and Weatherly:

H.B. 1162, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF INELIGIBLE VOTER'S TESTIMONY ABOUT HOW THE VOTE WAS CAST; TO GIVE THE PERSON PROTESTING THE ELECTION THE RIGHT TO CALL FOR A NEW ELECTION WHEN THE NUMBER OF INELIGIBLE VOTERS EXCEEDS THE MARGIN OF VICTORY; AND TO MAKE RELATED CHANGES, is referred to the Committee on Judiciary II.

By Representatives McMahan, Allred, Clary, Hill, Pate, Rayfield, and Reynolds:

H.B. 1163, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIENS ON REAL PROPERTY FOR THE FURNISHING OF RENTAL EQUIPMENT, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Judiciary I.

By Representatives McMahan, Allred, Baker, Buchanan, Clary, Gardner, Hill, Pate, Rayfield, and Reynolds:

H.B. 1164, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LIEN RIGHTS FOR PERSONS WHO FABRICATE DIES, MOLDS, FORMS, OR PATTERNS AND WHO FABRICATE PRODUCTS FROM DIES, MOLDS, FORMS, OR PATTERNS, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Judiciary I.

By Representatives McMahan, Aldridge, Alexander, Allred, Baker, Bowie, Brawley, J. Brown, Buchanan, Cocklereece, Crawford, Culpepper, Cummings, Daughtry, Decker, Dickson, Eddins, Gardner, Grady, Hiatt, Hill, Howard, Ives, Justus, Kiser, McComas, G. Miller, Nye, Pate, Preston, Rayfield, Sexton, Sharpe, Shubert, Thompson, Tolson, Watson, and Weatherly:

H.B. 1165, A BILL TO BE ENTITLED AN ACT TO INCREASE GIVING TO CHARITABLE NONPROFIT ORGANIZATIONS BY EXEMPTING FROM SALES AND USE TAX TANGIBLE PERSONAL PROPERTY THAT IS MANUFACTURED OR PURCHASED FOR RESALE

BY A WHOLESALE MERCHANT OR A RETAILER AND THEN DONATED TO A CHARITABLE NONPROFIT ORGANIZATION, BY EXPANDING THE STATE CORPORATE INCOME TAX DEDUCTION FOR CHARITABLE CONTRIBUTIONS, AND BY PROVIDING AN INCOME TAX CREDIT FOR CERTAIN CHARITABLE CONTRIBUTIONS BY INDIVIDUALS WHO CANNOT DEDUCT THE CONTRIBUTIONS BECAUSE THEY DO NOT ITEMIZE, is referred to the Committee on Finance.

By Representatives McMahan, Aldridge, Allred, Baker, Bowie, Buchanan, Clary, Crawford, Culpepper, Daughtry, Dickson, Gardner, Hill, Howard, Justus, G. Miller, Nye, Pate, Rayfield, Reynolds, Sexton, Shubert, and Watson:

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIRED DISCLOSURE STATEMENT AND ELIMINATE DUPLICATIVE REPORTING REQUIREMENTS UNDER THE CHARITABLE SOLICITATIONS ACT AND TO MODIFY AND CLARIFY REQUIREMENTS FOR NONGOVERNMENTAL ENTITIES' ACCOUNTABILITY FOR STATE GRANTS, is referred to the Committee on Judiciary I.

By Representatives McMahan, Aldridge, Baker, Bowie, Buchanan, Clary, Crawford, Culpepper, Daughtry, Dickson, Gardner, Hill, Howard, Justus, G. Miller, Nye, Pate, Rayfield, Reynolds, Sexton, Shubert, Thompson, and Watson:

H.J.R. 1167, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WAYS TO FACILITATE GREATER COOPERATION BETWEEN THE PUBLIC AND NONPROFIT SECTORS AND TO FOSTER THE GROWTH OF THE NONPROFIT SECTOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Ives:

H.B. 1168, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, is referred to the Committee on Local and Regional Government I.

By Representatives Morgan, Rayfield, and Sherrill:

H.B. 1169, A BILL TO BE ENTITLED AN ACT TO ABOLISH AND MERGE CERTAIN BOARDS AND COMMISSIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 1170, A BILL TO BE ENTITLED AN ACT TO ENFORCE ECONOMY IN STATE PRINTING COSTS AND TO PROMOTE OPPORTUNITIES FOR INCREASED PRIVATIZATION OF PRINTING, is referred to the Committee on Business and Labor.

By Representatives Morgan, Brawley, Justus, Rayfield, Sherrill, and Thompson:

H.B. 1171, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS AND TO CHANGE THE COMPOSITION, APPOINTMENTS, AND TERMS OF VARIOUS BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN STATE GOVERNMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morgan and Justus:

H.B. 1172, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE RAIL SAFETY SECTION FROM THE UTILITIES COMMISSION TO THE DEPARTMENT OF TRANSPORTATION AND TO DIRECT THE SECRETARY OF TRANSPORTATION TO STUDY THE NEED FOR CONTINUATION OF THE RAIL SAFETY INSPECTION PROGRAM, is referred to the Committee on Transportation.

By Representatives Cansler, Arnold, W. Brown, Clary, Cocklereece, Justus, Rayfield, Sharpe, Shubert, and Thompson:

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO ALLOW PRECINCT ASSISTANTS TO WORK SPLIT SHIFTS, is referred to the Committee on Judiciary II.

By Representatives Allred, Ellis, Hiatt, McMahan, Rayfield, and Sherrill:

H.B. 1174, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 40A GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES, AND INTRODUCTION OF ANY EVIDENCE OF PROPERTY VALUE, is referred to the Committee on

Judiciary I.

By Representatives McComas, Hill, and McMahan:

H.B. 1175, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STATE PORTS STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Tolson, Arnold, Locke, and Mercer:

H.B. 1176, A BILL TO BE ENTITLED AN ACT TO DIRECT THE USE OF UNEXPENDED FUNDS FOR THE CAPITAL COSTS OF CONSTRUCTING A FACILITY TO REPLACE THE EASTERN NORTH CAROLINA LIVESTOCK ARENA, is referred to the Committee on Appropriations.

By Representatives Tolson, Arnold, Fitch, Locke, and Mercer:

H.B. 1177, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MERGER OF THE TOWN OF BATTLEBORO INTO THE CITY OF ROCKY MOUNT, is referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

H.B. 1079, A BILL TO BE ENTITLED AN ACT TO PHASE OUT OVER FOUR YEARS THE FOUR PERCENT STATE SALES TAX ON FOOD AND REDUCE THE SIZE OF STATE GOVERNMENT BY AUTHORIZING THE GOVERNOR TO FREEZE HIRING FOR STATE EMPLOYEES OTHER THAN EDUCATION, PUBLIC SAFETY, PUBLIC HEALTH, AND OTHER APPROPRIATE POSITIONS.

Representative Luebke moves to suspend Rule 31(d) in order that he might offer an amendment which changes the title.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (72-43).

Representative Luebke's motion to suspend Rule 31(d) fails by electronic vote (51-65).

Representative Hackney offers Amendment No. 1 which fails of adoption by electronic vote (52-64).

Representative Barnes offers Amendment No. 2 which fails of adoption by electronic vote (51-63).

The bill passes its second reading by electronic vote (113-3).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Nichols for the Committee on Health and Environment:

H.B. 1077, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO ALLOW EMPLOYEES ON SHELLFISH LEASES AND FRANCHISES TO WORK WITHOUT POSSESSING AN INDIVIDUAL SHELLFISH LICENSE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

RE-REFERRALS

On motion of Representative Gardner and without objection, **S.B. 859**, A BILL TO BE ENTITLED AN ACT TO AMEND THE MENTAL HEALTH COMMITMENT LAW TO PROVIDE FOR DIVERSION OF POTENTIAL THOMAS S. CLASS MEMBERS TO APPROPRIATE TREATMENT, is withdrawn from the Committee on Appropriations, Subcommittee on Human Resources and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, pursuant to Rule 39.2, **H.B. 1082**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF FIVE THOUSAND OR MORE, is withdrawn from the Committee on Finance and re-referred to the Committee on Local and Regional Government I.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, and without objection, **H.B. 1076**, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE FISHERY RESOURCE GRANT PROGRAM IN THE NORTH CAROLINA SEA GRANT COLLEGE PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Health and Environment.

On motion of Representative Morgan, seconded by Representative H. Hunter, the House adjourns at 2:36 p.m. to reconvene May 16 at 1:00 p.m.

ONE HUNDRED TWELFTH DAY**HOUSE OF REPRESENTATIVES**

Thursday, May 16, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, hallowed be Thy name, Thy Kingdom come, Thy will be done on earth as it is in Heaven. Father, things sorta heated up around here yesterday. These good folks kinda went at it, as old Maddon would say, 'slam, bang, pow!'. It felt like I was back at the Legislature once again. It was kinda fun though and these folks seemed to enjoy it too. Just want to thank You that we all could be here. A little tense maybe, but that's okay, after all this is election year. Reminded me of choosing up sides at school; didn't take long to find out who could hit and who could catch, and who felt like they carried the rule book in their hip pocket. But, I guess we kinda knew that already. But, this isn't what I want to talk to You about. Some of these good folks have got some real problems outside of this place and they need Your help. They've been praying, but don't seem to be getting through. And so, I want to ask You to help them not to give up, and to remember that Your Word says: 'that if we ask anything according to Your will that You will hear us, and if we know that You hear us in whatever we ask then we know that You will answer our requests'. (I John 5:14-15) So keep them going, Lord, and bring peace to their hearts. By the way, it will work here on the floor too, and say... just maybe... well... You know that my old car is getting pretty lame,

'so, Lord, please send me a Mercedes Benz'. Just kidding, Father, another Toyota will be fine. Well, Lord, these folks have got work to do so I ask You to bless the good men and women of the House and our Speaker today as they have fun formulating law, and serving the people of this great state, through Christ our Lord. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 15 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-0).

Representative Wainwright requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (97-0).

Leaves of absence are granted Representatives Fitch, Locke, K. Miller, Richardson, G. Robinson, and Warner for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Sutton, Cummings, and Yongue:

H.B. 1178, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LUMBERTON FIREMEN'S SUPPLEMENTARY PENSION FUND TO INCREASE THE MONTHLY BENEFITS TO ITS MEMBERS, is referred to the Committee on Local and Regional Government II.

By Representatives Dickson and Rayfield:

H.B. 1179, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, is referred to the Committee on Public Utilities.

By Representative Owens:

H.B. 1180, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE, is referred to the Committee on Local and Regional

Government II and, if favorable, to the Committee on Education.

By Representatives Yongue, Cummings, and Sutton:

H.B. 1181, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF LUMBERTON TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, is referred to the Committee on Local and Regional Government I.

By Representatives McLaughlin, Barbee, Bowen, Bowie, Crawford, Holmes, McMahan, and Miner:

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO DELETE THE UNNECESSARY "L" ENDORSEMENT FOR A COMMERCIAL DRIVERS LICENSE, is referred to the Committee on Transportation.

By Representatives McLaughlin, Barbee, Bowen, Bowie, Crawford, Holmes, McMahan, and Miner:

H.B. 1183, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, is referred to the Committee on Transportation.

By Representative Edwards:

H.B. 1184, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTY OF COMMISSIONERS OF THE WASHINGTON HOUSING AUTHORITY UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES, is referred to the Committee on Local and Regional Government I.

By Representatives Sutton and Yongue:

H.B. 1185, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR MEMBERS OF THE BOARD OF COMMISSIONERS OF THE TOWN OF LUMBER BRIDGE AND PROVIDE A FOUR-YEAR TERM FOR THE MAYOR, is referred to the Committee on Local and Regional Government II.

By Representative Gamble:

H.B. 1186, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE MINIMUM TAX FOR CORPORATIONS THAT REDUCE THEIR TAXABLE INCOME BY DEDUCTING INTEREST EXPENSE ATTRIBUTABLE TO TAX-EXEMPT INTEREST INCOME, is referred to the Committee on Finance.

By Representative Nichols:

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARD OF EDUCATION IN CRAVEN COUNTY TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, is referred to the Committee on Local and Regional Government I.

By Representatives Buchanan, J. Brown, Hurley, Justus, Sexton, Shaw, and Thompson:

H.B. 1188, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISTRIBUTION OF FEES FOR SPECIAL VETERANS REGISTRATION PLATES, is referred to the Committee on Finance.

By Representative Tallent:

H.B. 1189, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE LEGISLATIVE RESEARCH COMMISSION'S FINANCIAL INSTITUTIONS ISSUES COMMITTEE TO AUTHORIZE STATE-CHARTERED BANKS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO OBSERVE HOLIDAYS AS DETERMINED BY THEIR BOARDS OF DIRECTORS, is referred to the Committee on Financial Institutions.

By Representative Tallent:

H.B. 1190, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE LEGISLATIVE RESEARCH COMMISSION'S FINANCIAL INSTITUTIONS ISSUES COMMITTEE TO AMEND THE NORTH CAROLINA RECIPROCAL INTERSTATE BANKING ACT, is referred to the Committee on Financial Institutions.

By Representatives Cocklereece, Dockham, and Rayfield:

H.B. 1191, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL COVERAGE UNDER THE NORTH CAROLINA BEACH PLAN AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece and Dockham:

H.B. 1192, A BILL TO BE ENTITLED AN ACT TO DEVELOP A PROPOSAL FOR A RESERVE FUND TO PAY CATASTROPHIC LOSSES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece and Dockham:

H.B. 1193, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE EFFECTIVE FINANCIAL SUPERVISION, REHABILITATION, AND LIQUIDATION PROCEDURES FOR CONTINUING CARE RETIREMENT CENTERS AND TO PROVIDE THAT CONTINUING CARE AGREEMENTS ARE SUBORDINATE TO THE COST OF ADMINISTRATION IN LIQUIDATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece and Dockham:

H.B. 1194, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEDICARE SUPPLEMENT INSURANCE LAWS TO COMPLY WITH THE FEDERAL SOCIAL SECURITY AMENDMENTS OF 1994 AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece, Dockham, and Pate:

H.B. 1195, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING SETOFFS WITH THE LAW GOVERNING THE RECOVERY OF PREMIUMS OWED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece and Dockham:

H.B. 1196, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING LICENSED REINSURERS FROM ASSUMING REINSURANCE FROM NONADMITTED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece and Dockham:

H.B. 1197, A BILL TO BE ENTITLED AN ACT TO LESSEN THE REQUIREMENT OF INSURANCE COMPANIES TO MAINTAIN TRUST ACCOUNTS OR OBTAIN LETTERS OF CREDIT OR GUARANTY BONDS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece, Dockham, and Pate:

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UNINSURED AND UNDERINSURED MOTORIST COVERAGE MAY BE LIMITED OR EXCLUDED UNDER EXCESS OR UMBRELLA POLICIES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece, Dockham, and Pate:

H.B. 1199, A BILL TO BE ENTITLED AN ACT TO REVISE THE DEFINITION OF NONFLEET MOTOR VEHICLE TO ALLOW FLEXIBILITY FOR THE NUMBER OF AUTOMOBILES THAT MAY BE WRITTEN UNDER A PERSONAL AUTOMOBILE INSURANCE POLICY AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece, Dockham, and Rayfield:

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO REVISE THE PARTICIPATION FORMULA OF THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON

INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece and Dockham:

H.B. 1201, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INSURERS ARE NOT REQUIRED TO OBTAIN WRITTEN CONSENT TO RATE ON EACH POLICY RENEWAL AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Cocklereece and Dockham:

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING SMALL EMPLOYER HEALTH BENEFIT PLANS TO 1995 LEGISLATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is referred to the Committee on Insurance.

By Representatives Rayfield and Cansler (Co-Sponsors); Arnold, Clary, Cocklereece, and Sharpe:

H.B. 1203, A BILL TO BE ENTITLED AN ACT TO ALLOW THE APPOINTMENT IN CERTAIN CIRCUMSTANCES OF PRECINCT OFFICIALS AND BALLOT COUNTERS FOR A PRECINCT WHO ARE NOT REGISTERED TO VOTE IN THAT PRECINCT, is referred to the Committee on Judiciary II.

By Representatives Decker, Brawley, Cocklereece, Justus, Kiser, Lee, Neely, Rayfield, Sexton, Sutton, and Thompson:

H.B. 1204, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS F FELONY OFFENSE TO ASSAULT A LAW ENFORCEMENT OFFICER AND INFLICT SERIOUS BODILY INJURY AND TO CREATE A NEW CRIMINAL OFFENSE OF ASSAULTING A FIREFIGHTER AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON CRIMINAL LAWS, PROCEDURES, AND SENTENCING, is referred to the Committee on Judiciary II.

By Representative Culpepper:

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO ALLOW THE

COUNTY OF DARE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper (by request):

H.B. 1206, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TYRRELL COUNTY TO LEVY A ONE PERCENT LOCAL LAND TRANSFER TAX, is referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

By Representatives Brawley, Justus, Pulley, Rayfield, and Sexton:

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MAXIMUM PERIOD OF TIME A JUVENILE MAY BE COMMITTED IN ACCORDANCE WITH THE STRUCTURED SENTENCING ACT AS RECOMMENDED BY THE SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary II.

By Representatives R. Hunter, Buchanan, Justus, and Thompson:

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, is referred to the Committee on Local and Regional Government I.

By Representatives Ives and Rayfield:

H.B. 1209, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF BREVARD AND HENDERSONVILLE TO CREATE SQUIRREL SANCTUARIES FOR THE PRESERVATION OF THE "BREVARD WHITE SQUIRREL", is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 1210, A BILL TO BE ENTITLED AN ACT CLARIFYING THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF THE DARE COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 1211, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF KILL DEVIL HILLS, is referred to the Committee on Local and Regional Government II.

By Representatives Adams, Bowie, Boyd-McIntyre, Cocklereece, Sharpe, and Wood:

H.B. 1212, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO SETTLEMENT OF CLAIMS, is referred to the Committee on Local and Regional Government I.

By Representative J. Brown:

H.B. 1213, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT CERTAIN RECOMMENDATIONS OF THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURAL WASTE, is referred to the Committee on Appropriations.

By Representatives Weatherly, J. Brown, Eddins, Kiser, McCombs, Mitchell, Nichols, Pate, and Rayfield:

H.B. 1214, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGISTRATION REQUIREMENT FOR FORESTERS, is referred to the Committee on Health and Environment.

By Representatives Sexton, Allred, and Reynolds:

H.B. 1215, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ROCKINGHAM BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT, is referred to the Committee on Local and Regional Government II.

By Representatives Redwine, Allred, Beall, W. Brown, Fox, Hensley, Hill, Hunt, H. Hunter, R. Hunter, Hurley, McCrary, Owens, Wainwright, Wilkins, Womble, and Yongue:

H.B. 1216, A BILL TO BE ENTITLED AN ACT TO REFUND THE UNCONSTITUTIONAL INTANGIBLES TAX PAID ON STOCK AND TO REFUND THE INCOME TAX PAID BY FEDERAL RETIREES ON THEIR PENSIONS PRIOR TO 1989, is referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S.B. 1118, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO CHANGE THE NAME OF PEMBROKE STATE UNIVERSITY TO THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.B. 1079, A BILL TO BE ENTITLED AN ACT TO PHASE OUT OVER FOUR YEARS THE FOUR PERCENT STATE SALES TAX ON FOOD AND REDUCE THE SIZE OF STATE GOVERNMENT BY AUTHORIZING THE GOVERNOR TO FREEZE HIRING FOR STATE EMPLOYEES OTHER THAN EDUCATION, PUBLIC SAFETY, PUBLIC HEALTH, AND OTHER APPROPRIATE POSITIONS.

Representative Hayes offers Amendment No. 3 which is adopted by electronic vote (106-3).

Representative Wainwright requests permission to be recorded as voting "aye" and this request is granted. The adjusted vote total is (107-3).

The bill, as amended, passes its third reading, by electronic vote (111-3), and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1074, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ISSUANCE OF NEW SHELLFISH CULTIVATION LEASES IN CORE BANKS, TO ESTABLISH A MORATORIUM ON SHELLFISH LEASES IN THE REMAINING AREA IN CARTERET COUNTY, AND TO REQUIRE THAT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE STUDY THE SHELLFISH LEASE PROGRAM, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO REMOVE THE

EXPIRATION DATE ON THE ENDORSEMENT TO SELL PROGRAM SET FORTH IN CHAPTER 516 OF THE 1993 SESSION LAWS.

Representative Preston offers Amendment No. 1.

Representative Preston withdraws her amendment.

On motion of Representative Preston, the bill is withdrawn from the Calendar and re-referred to the Committee on Health and Environment.

H.B. 1078, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DATE OF THE MORATORIUM STEERING COMMITTEE'S FINAL REPORT AND TO EXTEND THE DATE THAT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE IS REQUIRED TO REPORT, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wood for the Committee on Education:

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO CHANGE THE NAME OF PEMBROKE STATE UNIVERSITY TO THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 17.

By Representative Dockham for the Committee on Insurance:

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR WORKERS' COMPENSATION FOR VOLUNTEER FIRE DEPARTMENT AND RESCUE/EMS WORKERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENT FOR HOSPITAL REIMBURSEMENT IN WORKERS' COMPENSATION CASES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 17.

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS FROM THE INDUSTRIAL COMMISSION TO THE NORTH CAROLINA COURT OF APPEALS, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary I.

The bill is re-referred to the Committee on Judiciary I.

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT FOR WORKERS' COMPENSATION COVERAGE FOR SUBCONTRACTORS WITH NO EMPLOYEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Business and Labor.

The bill is re-referred to the Committee on Business and Labor.

RE-REFERRAL

On motion of Representative Morgan, pursuant to Rule 39.2, **H.B. 1166**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIRED DISCLOSURE STATEMENT AND ELIMINATE DUPLICATIVE REPORTING REQUIREMENTS UNDER THE CHARITABLE SOLICITATIONS ACT AND TO MODIFY AND CLARIFY REQUIREMENTS FOR NONGOVERNMENTAL ENTITIES' ACCOUNTABILITY FOR STATE GRANTS, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Finance.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 1077**, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO ALLOW EMPLOYEES ON SHELLFISH LEASES AND FRANCHISES TO WORK WITHOUT POSSESSING AN INDIVIDUAL SHELLFISH LICENSE, is withdrawn from the Calendar pursuant to Rule 36(a), and re-referred to the Committee on Health and Environment.

ONE HUNDRED THIRTEENTH DAY

HOUSE OF REPRESENTATIVES

Friday, May 17, 1996

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, as we come to the end of our first week back in session, we are grateful for the privilege of service, and for our colleagues with whom we share this privilege. We thank You for our homes and families, and look forward to spending time with them. What a joy to love and to be loved. A popular song a few years back was 'What The World Needs Now Is Love Sweet Love' and the verse ran, 'That's the only thing that there's just too little of'. Even the richest gift given in disdain is thankless, but the smallest gift given in love is precious. Lawrence Dunbar, the great black poet, tells of growing up on the farm; of chopping cotton in the hot July sun while his father plowed. The older children worked in the field. The youngest sister, around six, had the task of bringing water to the field. I can see her coming now, bucket and drinking gourd in hand. Pappa would stop the mule in the shade at the edge of the field, and we would all gather around for a drink. Baby sister would hand him the gourd full of fresh cool water. Pappa would taste, put a strange expression on his face and say, 'Baby sister, what did you put in this water?' 'Nothing, Pappa.' 'Yes, you did, it tastes special.' 'No, Pappa, honest.' 'Yes, you did child, it's got love in it.' Then she would laugh and jump into his arms as the rest of us drank that special water laced with love. Jesus said, 'Even a cup of cold water in my name...' (Matthew 10:42). How much more government and law blessed by Him and laced with love. Bless us Lord today as we work, and take us all safely to our homes that we may share with our loved ones this amazing mystery called love. In Thy Name, Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 16 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (92-2).

Representatives Decker and Wainwright request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (94-2).

Leaves of absence are granted Representatives Berry, Bowen, Braswell,

Buchanan, Cunningham, Fitch, Gamble, Hightower, Howard, Hurley, Lee, G. Robinson, and Wood for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dockham for the Committee on Insurance:

H.B. 1086, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE 1995 WORKERS' COMPENSATION INSURANCE LOSS COSTS RATING LAWS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 20. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 1075, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXPIRATION DATE ON THE ENDORSEMENT TO SELL PROGRAM SET FORTH IN CHAPTER 516 OF THE 1993 SESSION LAWS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 20. The original bill is placed on the Unfavorable Calendar.

H.B. 1077, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO ALLOW EMPLOYEES ON SHELLFISH LEASES AND FRANCHISES TO WORK WITHOUT POSSESSING AN INDIVIDUAL SHELLFISH LICENSE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 20. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives R. Hunter, Alexander, Beall, Black, W. Brown, Church, Crawford, Culpepper, Fox, Gamble, Hensley, Hill, Hunt, Hurley, Lee, Locke, McCrary, Mercer, G. Miller, Owens, Ramsey, Redwine, Rogers, Sutton, Tolson, Wilkins, and Yongue:

H.B. 1217, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX FROM SEVEN AND THREE-FOURTHS PERCENT TO SIX AND THREE-FOURTHS PERCENT OVER A FOUR-YEAR PERIOD, is referred to the Committee on Finance.

By Representatives Mercer, Adams, Alexander, Baker, Barbee, Barnes, Beall, Black, Blue, Braswell, W. Brown, Buchanan, Church, Cocklereece, Culp, Culpepper, Cunningham, Davis, Earle, Eddins, Ellis, Fitch, Fox, Grady, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Justus, Lee, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, G. Miller, Mitchell, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sutton, Thompson, Tolson, Wainwright, Warner, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue:

H.B. 1218, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION PAYMENTS FOR QUALIFIED FIREMEN AND ELIGIBLE RESCUE SQUAD WORKERS, is referred to the Committee on Appropriations.

By Representatives Allred and Reynolds:

H.B. 1219, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF ALAMANCE AND THE CITIES LOCATED IN THAT COUNTY TO DONATE UNCLAIMED BICYCLES TO CHARITY, is referred to the Committee on Local and Regional Government II.

By Representatives Russell, Culp, and Thompson:

H.B. 1220, A BILL TO BE ENTITLED AN ACT TO ESTABLISH QUALIFICATIONS FOR THE POSITIONS OF STATE PERSONNEL DIRECTOR AND HUMAN RESOURCES DIRECTORS OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS, is referred to the Committee on State Government.

By Representatives Owens and Culp:

H.B. 1221, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT

THE CITY COUNCIL OF THE CITY OF ELIZABETH CITY MAY DESIGNATE CERTAIN HANDICAPPED PARKING SPACES AS LIMITED TO FOUR HOURS, is referred to the Committee on Local and Regional Government II.

By Representatives Mercer, Fitch, Locke, and Tolson:

H.B. 1222, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES SHALL STUDY THE HISTORIC SIGNIFICANCE OF THE PRINCEVILLE CEMETERY AND TO APPROPRIATE FUNDS FOR THE STUDY, is referred to the Committee on Appropriations.

By Representative Wilkins:

H.B. 1223, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF PERSON TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I.

By Representatives Redwine, Davis, Hill, Preston, and J. Robinson:

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE THE BEAVER MANAGEMENT ASSISTANCE PROGRAM, TO ESTABLISH IT AS A PERMANENT PROGRAM UNDER THE WILDLIFE RESOURCES COMMISSION, AND TO ADD ADDITIONAL COUNTIES TO THE COVERAGE OF THE PROGRAM, is referred to the Committee on Appropriations.

By Representatives Morgan and Justus:

H.B. 1225, A BILL TO BE ENTITLED AN ACT TO AMEND THE PUBLIC LAWS AND DIRECTLY AFFECT THE STATE BUDGET, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Morgan and Justus:

H.B. 1226, A BILL TO BE ENTITLED AN ACT TO DIRECTLY AFFECT THE STATE BUDGET AND AMEND THE PUBLIC LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives J. Brown, Culp, Hill, and Justus:

H.B. 1227, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURAL WASTE, is referred to the Committee on Agriculture and, if favorable, to the Committee on Finance.

By Representatives Russell, Braswell, G. Miller, Pate, and Ramsey:

H.J.R. 1228, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE LEGISLATOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson, Creech, Davis, Esposito, Holmes, Justus, and Kiser:

H.B. 1229, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY COMMISSION ON THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, is referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

By Representatives Beall and Ramsey:

H.B. 1230, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF MAGGIE VALLEY DEALING WITH LAND-USE POWERS AND TO REFLECT THAT THE TOWN HAS ADOPTED THE MANAGER FORM OF GOVERNMENT, is referred to the Committee on Local and Regional Government I.

By Representatives Hiatt, Baker, and G. Wilson:

H.B. 1231, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE COUNTIES OF ALLEGHANY, SURRY, AND WATAUGA AMONG THOSE COUNTIES THAT REQUIRE CONSENT OF THE BOARD OF COUNTY COMMISSIONERS BEFORE LAND MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Hiatt, Justus, and Ramsey:

H.B. 1232, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIMITED IMMUNITY FOR MEDICAL CARE PROVIDERS PROVIDING

MEDICAL INFORMATION ON DRIVERS TO THE COMMISSIONER OF MOTOR VEHICLES, is referred to the Committee on Transportation and, if favorable, to the Committee on Judiciary I.

By Representatives Dickson, McComas, and Reynolds:

H.B. 1233, A BILL TO BE ENTITLED AN ACT TO ENACT THE OVERHEAD HIGH-VOLTAGE LINE SAFETY ACT AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, is referred to the Committee on Public Utilities.

By Representative Rogers:

H.B. 1234, A BILL TO BE ENTITLED AN ACT TO ALLOW MARTIN COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I.

By Representatives Culp, Barbee, Beall, Bowen, Brawley, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Culpepper, Daughtry, Davis, Dickson, Dockham, Eddins, Gardner, Hayes, Hensley, Hightower, Hurley, Ives, Kiser, Lee, McComas, McCombs, Mercer, Mitchell, Nichols, Nye, Pate, Preston, Rayfield, Reynolds, J. Robinson, Rogers, Russell, Sexton, Tallent, Wainwright, Weatherly, and Yongue:

H.B. 1235, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INSTALLATION OF NONPRESSURIZED DRY FIRE HYDRANTS IN RURAL AREAS OF THE STATE, is referred to the Committee on Appropriations.

By Representative Yongue:

H.B. 1236, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR PESTICIDE ENFORCEMENT, is referred to the Committee on Appropriations.

By Representatives Gardner and G. Miller:

H.B. 1237, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE MENTAL HEALTH STUDY COMMISSION TO ENSURE AREA AUTHORITY FINANCIAL STABILITY AND DELIVERY OF ADEQUATE SERVICES TO CLIENTS, is referred to the Committee on Appropriations.

By Representative Shaw:

H.B. 1238, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE CONSTRUCTION OF A FINE ARTS BUILDING AT FAYETTEVILLE STATE UNIVERSITY, is referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

H.B. 1072, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO CHANGE THE NAME OF PEMBROKE STATE UNIVERSITY TO THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE, passes its second reading, by electronic vote (96-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1088, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENT FOR HOSPITAL REIMBURSEMENT IN WORKERS' COMPENSATION CASES, passes its second reading, by electronic vote (98-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRALS

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, is withdrawn from the Committee on Education and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Wilkins, the House adjourns at 11:26 a.m. to reconvene Monday, May 20, 1996, at 7:00 p.m.

ONE HUNDRED FOURTEENTH DAY

HOUSE OF REPRESENTATIVES

Monday, May 20, 1996

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, hallowed be Thy name. It was good to be home this weekend with family, to work, to play, and to worship. Thank You for bringing us safely back to Raleigh, and keep our families safe while we are away. We thank You for the Pages who are with us this week. May it be a good week for them. Father, I guess that all of us would like to be perfect, but the truth is none of us are. I would like to be a better Pastor and I guess every one here would like to be better at their job. But, it seems like sometimes folks just watch for our worst days. Father, I don't mean any disrespect here, so please forgive me if I get out of line. But I visited a friend Saturday who operates a dairy. He was showing me some new cows, and as we walked across the pasture, he said, 'Be careful or you might step in some politics'. 'Gracious', I said, 'It isn't that bad is it? I work with folks in politics and I like them; they are for the most part good and decent people.' 'Well, Preacher, you may like them, but I've about given up hope.' 'Oh come on now', I said, 'the Bible teaches that, "We are saved by hope..."'. (Romans 8:24) 'Preacher', he said, 'you know that if a person isn't what he ought to be that nothing good can come of it. It's hard to have hope.' I countered, 'But, there are fine God-fearing men and women in government. And besides, this is America and you can still vote and pray. Just look at yourself and me. We are living proof that the Lord can beat a straight path with a crooked stick.' He blinked, 'Well, you just keep on praying and I'll watch the papers. Come on, let's look at the cows.' Father, it's great to live in America. We can still speak our minds and work to make things better, so bless the men and women of this House this week. And, guide us as we share in this work, both secular and sacred, called government. Through Christ our Lord. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (107-1).

Leaves of absence are granted Representatives Alexander, Hunt, Linney, K. Miller, and Wood for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Edwards:

H.B. 1239, A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE LOCAL PUBLIC HEALTH DELIVERY SYSTEM BY APPROPRIATING FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CREATE INCENTIVES FOR SMALL COUNTY HEALTH DEPARTMENTS TO FORM DISTRICT HEALTH DEPARTMENTS, is referred to the Committee on Appropriations.

By Representatives Nye and Wright:

H.B. 1240, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government I.

By Representative Shubert:

H.B. 1241, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX LAW THAT APPLIES TO BUNDLED TRANSACTIONS, is referred to the Committee on Finance.

By Representatives Shubert, Blue, Cansler, Capps, Church, Neely, G. Robinson, and Shaw:

H.B. 1242, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, is referred to the Committee on Finance.

By Representatives Justus, Sexton, and Thompson:

H.B. 1243, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW FELONY OFFENSE OF ASSAULT INFLICTING SERIOUS BODILY INJURY AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary II.

By Representative Culpepper:

H.B. 1244, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT APPEAL BONDS ARE POSTED WITH THE CLERK OF THE APPELLATE COURT IN CONFORMANCE WITH THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE AND TO CLARIFY THAT THE UNDERTAKING ON APPEAL MUST BE IN WRITING, is referred to the Committee on Judiciary II.

By Representatives Grady, Black, Cummings, McMahan, Owens, Preston, and Rogers:

H.B. 1245, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S RECOMMENDATION TO ESTABLISH A COMMISSION TO REVIEW AND REVISE THE PUBLIC SCHOOL LAWS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady, Black, Cummings, McMahan, Owens, Preston, and Rogers:

H.B. 1246, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO MAKE AMENDMENTS TO THE LAWS GOVERNING THE STANDARDS BOARD FOR PUBLIC SCHOOL ADMINISTRATION AND THE PUBLIC SCHOOL ADMINISTRATOR EXAM, is referred to the Committee on Education.

By Representatives Grady, Black, Cummings, McMahan, Owens, Preston, Rogers, and Sexton:

H.B. 1247, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT AND MONITOR THE PLAN FOR THE TRANSFER OF CREDITS BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION, is referred to the

Committee on Education.

By Representatives Grady, Black, Cummings, McMahan, Owens, Preston, Rogers, Sexton, and Thompson:

H.B. 1248, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPROVE THE PROGRAM AND SERVICES FOR GIFTED STUDENTS, is referred to the Committee on Education.

By Representatives Grady, Black, Cummings, McMahan, Owens, Preston, Rogers, and Sexton:

H.B. 1249, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO CHANGE THE COMPOSITION OF THE PROFESSIONAL TEACHING STANDARDS COMMISSION SO THAT TEACHERS HAVE A MAJORITY, TO EXPAND THE AUTHORITY OF THE PROFESSIONAL TEACHING STANDARDS COMMISSION, AND TO ESTABLISH A PROFESSIONAL PRACTICES BOARD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady, Black, Cummings, McMahan, Owens, Preston, Rogers, and Sexton:

H.B. 1250, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO MAKE AN APPROPRIATION, is referred to the Committee on Appropriations.

By Representatives Nichols, Culp, Mitchell, and Tolson:

H.B. 1251, A BILL TO BE ENTITLED AN ACT TO DIRECT THE APPROPRIATE STATE DEPARTMENTS HOW TO EXERCISE THE STATE'S AUTHORITY UNDER THE CLEAN WATER ACT, TO ESTABLISH THE WETLANDS RESTORATION PROGRAM AND FUND, AND TO APPROPRIATE FUNDS TO IMPLEMENT THE PROGRAM AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON

WETLANDS, is referred to the Committee on Appropriations.

By Representative Sexton:

H.B. 1252, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, is referred to the Committee on Local and Regional Government II.

INTRODUCTION OF PAGES

Pages for the week of May 20-24 are introduced to the membership. They are: Elizabeth Anne Alligood of Beaufort; Allen James Bass of Cumberland; Laura Childs of Wake; Catherine Jane Davis of Moore; Caroline Barber Davis of Wake; Courtney Brynn Denning of Wake; Georgeanna M. Gardner of Johnston; Melissa Grace Godwin of Wake; Mary Susanna Grissom of Granville; Molly Park Hassinger of Wake; Jason Solomon Hawsworth of Cumberland; Lauren Hilliard of Davidson; Melissa Ann Hood of Harnett; Kristel Jernigan of Beaufort; Charlotte Sloan McClure of Wake; Matthew D. Medlin of Onslow; Laura Elizabeth Moore of Gaston; Connie Lynn Oliver of Beaufort; Rebecca Page Perry of Wake; Shana Marie Reece of Watauga; Kimberly Dawn Schortinghouse of Yancey; John Edward Sugg of Moore; Erin Nicole Swinson of Wake; Kara Selena Wheeler of Davidson; and Megan Daniel Winfield of Beaufort.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 1086**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE 1995 WORKERS' COMPENSATION INSURANCE LOSS COSTS RATING LAWS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1075**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE EXPIRATION DATE ON THE ENDORSEMENT TO SELL PROGRAM SET FORTH IN CHAPTER 515 OF THE 1993 SESSION LAWS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1077**, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO ALLOW EMPLOYEES ON SHELLFISH LEASES AND FRANCHISES TO WORK WITHOUT POSSESSING AN INDIVIDUAL SHELLFISH LICENSE, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

RE-REFERRALS

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **S.B. 709**, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTIONS OF COLUMBUS COUNTY WATER AND SEWER DISTRICT I, is withdrawn from the Committee on Local and Regional Government II and re-referred to the Committee on Local and Regional Government I.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 1083**, A BILL TO BE ENTITLED AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S EXTRA-TERRITORIAL PLANNING AND ZONING JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING AGENCY, is withdrawn from the Committee on Finance and re-referred to the Committee on Local and Regional Government I.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 1084**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF LESS THAN FIVE THOUSAND, is withdrawn from the Committee on Finance and re-referred to the Committee on Local and Regional Government I.

On motion of Representative Morgan, seconded by Representative Ellis, the House adjourns at 7:27 p.m. to reconvene May 21 at 1:00 p.m.

ONE HUNDRED FIFTEENTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, May 21, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Father, thank You for life today, and for Your forgiveness and love. These are stressful days, and we all realize that a day of reckoning is approaching. The Bible teaches that life is like this too. Each of us is given special gifts or 'talents' for which we are accountable, and by which we will be judged by the Great Giver of Life. (Luke 19)

'To each is given a bag of tools,
A load of bricks,
And a Book of Rules.
And, each must build
'Ere life has flown,
A stumbling block
Or a stepping stone.'

And so, today help us to love when we want to hate. Help us to hate that which we ought not to love. Help us to be strong when we wish to run. Help us to run when it is wrong to stay. Help us to do what we ought to do, when what we ought to do is not what we want to do. Give us not the lust for power, but the power not to lust. Make discernment our counsel and insight our vision. May we reach not up for personal fame but only to hold Your hand. And may our peace be Your own words, 'You've lived today just as I planned'. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (105-3).

A leave of absence is granted Representative Alexander for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1095, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF REVENUE FOR PERSONNEL TO CARRY OUT THE RESPONSIBILITY FOR COLLECTING THE GROSS PREMIUMS TAX, WHICH WAS TRANSFERRED FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING THE REMAINDER OF THE GROSS PREMIUMS TAX FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE AND TO CLARIFY RELATED STATUTES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 22.

S.B. 838, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE YOUNG MEN'S CHRISTIAN ASSOCIATION AND THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Church, Buchanan, and Thompson:

H.B. 1253, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF DREXEL IN BURKE COUNTY FOR CONSTRUCTION OF PUBLIC FACILITIES ON THE TOWN'S FAIRGROUND PROPERTY, is referred to the Committee on Appropriations.

By Representatives Nichols and Wainwright:

H.B. 1254, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HAVELOCK CONCERNING THE POWERS OF THE CITY MANAGER, is referred to the Committee on Local and Regional Government I.

By Representatives Brawley, Bowie, and Justus:

H.B. 1255, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY OR CHANGE THE PENALTIES FOR VARIOUS CRIMINAL OFFENSES AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Thompson and Buchanan:

H.B. 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, is referred to the Committee on Local and Regional Government II.

By Representatives Gray, Oldham, Sexton, and Womble:

H.B. 1257, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE GOODWILL INDUSTRIES OF NORTHWEST NORTH CAROLINA, INC., TO COMPLETE ITS CAPITAL EXPANSION PLAN, is referred to the Committee on Appropriations.

By Representatives Gray, Oldham, Sexton, and Womble:

H.B. 1258, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA TO RETAIN THE NET PROCEEDS FROM SALE OF THE FORMER RESIDENCE OF THE CHANCELLOR OF WINSTON-SALEM STATE UNIVERSITY FOR APPLICATION TOWARD PURCHASE OF THE SUCCESSIVE RESIDENCE FOR THE CHANCELLOR, is referred to the Committee on Appropriations.

By Representatives Grady, Allred, Bowie, Cansler, Cocklereece, Culp, Hurley, Morgan, Nichols, Preston, J. Robinson, Sexton, Sharpe, and Sherrill:

H.B. 1259, A BILL TO BE ENTITLED AN ACT TO PROVIDE

FEDERAL RETIREES REFUNDS, WITHOUT INTEREST, FOR STATE INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Culpepper:

H.B. 1260, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW IN CHOWAN COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Culpepper:

H.B. 1261, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW IN DARE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Culpepper, Hensley, R. Hunter, McCrary, and Neely:

H.B. 1262, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION, is referred to the Committee on Judiciary II.

By Representatives Culpepper, G. Miller, Rogers, and Wainwright:

H.B. 1263, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL LONGEVITY PAY STEP FOR SUPERIOR COURT JUDGES, is referred to the Committee on Appropriations.

By Representatives R. Hunter, Culpepper, Hensley, McCrary, and Neely:

H.B. 1264, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED COPIES OF OUT-OF-STATE CUSTODY DECREES AND FOR THE VALIDATION OF CERTIFIED COPIES OF WILLS RECORDED WITHOUT PROBATE, is referred to the Committee on Judiciary I.

By Representatives R. Hunter, Culpepper, Hensley, McCrary, and Neely:

H.B. 1265, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA

COURTS COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bowie, Aldridge, Allred, Baker, Barbee, Berry, Bowen, Brawley, W. Brown, Buchanan, Cansler, Cocklereece, Crawford, Dickson, Holmes, Lemmond, Linney, Locke, McLaughlin, McMahan, Miner, Nichols, Reynolds, Russell, Sexton, Sharpe, Sherrill, Shubert, Wainwright, Weatherly, and Womble:

H.B. 1266, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE ONE-DOLLAR FEE FOR MAIL-IN VEHICLE REGISTRATION, is referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

By Representatives Bowie, Aldridge, Allred, Barbee, Bowen, W. Brown, Buchanan, Cocklereece, Crawford, Dickson, Hiatt, Holmes, Locke, McLaughlin, McMahan, Miner, Nichols, Reynolds, Russell, Sexton, Sharpe, and Womble:

H.B. 1267, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED LIMITS UP TO SEVENTY MILES PER HOUR ON DESIGNATED PARTS OF CONTROLLED ACCESS HIGHWAYS, is referred to the Committee on Transportation.

By Representatives Bowie, Aldridge, Barbee, Bowen, Brawley, W. Brown, Buchanan, Cocklereece, Crawford, Dickson, Hiatt, Holmes, Locke, McLaughlin, McMahan, Miner, Nichols, Reynolds, Sexton, Sharpe, Shubert, Weatherly, and Womble:

H.B. 1268, A BILL TO BE ENTITLED AN ACT TO EXPEDITE DISPOSAL OF UNCLAIMED VEHICLES BY TOWING AND STORAGE BUSINESSES, is referred to the Committee on Transportation.

By Representatives Thompson and Sexton:

H.B. 1269, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE EMPLOYEES WHO WORK THIRTY HOURS PER WEEK FOR NINE OR MORE MONTHS PER CALENDAR YEAR ARE ELIGIBLE FOR MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 3 for **S.B. 332**, A BILL TO BE ENTITLED AN ACT TO ALLOW LENDERS TO COLLECT FEES, INTEREST, AND CHARGES FOR CERTAIN LOANS AND EXTENSIONS OF CREDIT IN AMOUNTS AGREED UPON BY THE PARTIES, WITH NO STATUTORY MAXIMUM LIMIT, AND TO AUTHORIZE COMPUTATION OF REBATES BY THE SIMPLE INTEREST METHOD ON CONTRACTS GOVERNED BY THE RETAIL INSTALLMENT SALES ACT.

Pursuant to Rule 24.1A, Representatives Blue, Braswell, Daughtry, and Edwards request that they be excused from voting on this bill because they are bank directors. Representatives Brawley, Lee, and Lemmond request that they be excused from voting on this bill because they own bank stock. Representatives Cunningham, Hightower, Hunt, and McCombs request that they be excused from voting on this bill because of a conflict of interest. Representative C. Wilson requests that she be excused from voting on this bill because she is a bank employee. Representatives Shaw and Gamble request that they be excused from voting on this bill. These requests are granted.

Representative R. Hunter inquires of the Chair if the bill is eligible for consideration under Resolution 15 of the 1995 Session. The Speaker rules that the bill is eligible.

Representative Nichols offers Amendment No. 1.

Representative Gamble requests that his excuse from voting pursuant to Rule 24.1A be withdrawn.

Representative Nichols inquires of the Chair if the member's excuse may be withdrawn after the request is made. The Speaker recognizes Representative Morgan who explains that pursuant to Rule 24.1A(d), a member may ask that their request be withdrawn. Representative Gamble's request is withdrawn.

Amendment No. 1 is adopted by electronic vote (90-11).

Representative Nichols offers Amendment No. 2 which is adopted by

electronic vote (75-28).

Pursuant to Rule 24.1A, Representative Creech requests that he be excused from voting on the bill, because he is a bank director, and this request is granted.

On motion of Representative R. Hunter, the bill, as amended, is withdrawn from the Calendar and placed on the Calendar of May 28 by electronic vote (77-25).

On motion of Representative Morgan, seconded by Representative Warner, the House adjourns at 1:52 p.m. to reconvene May 22 at 1:00 p.m.

ONE HUNDRED SIXTEENTH DAY

HOUSE OF REPRESENTATIVES

Wednesday, May 22, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Father, thank You for reminding us from time to time that You are a God who sees a sparrow's fall. (Matthew 10:29) Yesterday, You blessed my heart in a special way. The day was a bit hard. My wife ill, medicine not working, a child called, troubled marriage, loosing use of my legs, arthritis. Grass a foot high, mower broken. Burdened for government. What's really happening in Washington and Raleigh? How should I pray? What can I say that doesn't offend someone? Then home, granddaughter called, can't get water for horses, hot, wife had car, drove lawn mower a mile to barn to check trouble, lawn mower broke down. Dug into plumbing, special metal to plastic fitting broke, water gushing, no transportation, no phone, need special fitting. Lord, Your apostle Paul said, 'In everything by prayer...'. (Philippians 4:6-7) This isn't a Billy Graham Crusade, peace in Bosnia, curbing the drug traffic, prayer for crash and fire victims, world missions, or the legislature. And, I know that You've got a universe to run, and I do want You to help cancer victims and handicapped children. But, Father, if You would..., I need a metal to plastic fitting of some sort. I'm going to walk to the old abandoned house over there and look around. It's getting dark, no phone,

no car. I found an old piece of PVC, and like a nugget of gold on the rotting floor of an old porch, I picked up the exact piece I needed. It wasn't Promise Keepers or a Pentecostal revival, but the Lord blessed my soul and I lifted muddy hands to Him in praise. He is a Great God of little things. He sees a sparrow fall, and knows when an old man with muddy hands needs a pipe fitting and a blessing. He knows too, what you need, that bill that needs passing, that candidate who needs to be elected, maybe yourself, the lobbyist, the media, the special interest group, and your own personal fears. Thank You, Lord, for the sparrows, and for the broken water lines, and for reminding us now and then that You do hear even our smallest prayers. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 21 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (106-1).

Leaves of absence are granted Representatives Blue and Wood for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative G. Robinson for the Committee on Business and Labor:

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT FOR WORKERS' COMPENSATION COVERAGE FOR SUBCONTRACTORS WITH NO EMPLOYEES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 23.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1165, A BILL TO BE ENTITLED AN ACT TO INCREASE GIVING TO CHARITABLE NONPROFIT ORGANIZATIONS BY EXEMPTING FROM SALES AND USE TAX TANGIBLE PERSONAL PROPERTY THAT IS MANUFACTURED OR PURCHASED FOR RESALE BY A WHOLESALE MERCHANT OR A RETAILER AND THEN DONATED TO A CHARITABLE NONPROFIT ORGANIZATION, BY EXPANDING THE STATE CORPORATE INCOME TAX DEDUCTION FOR CHARITABLE CONTRIBUTIONS, AND BY PROVIDING AN INCOME TAX CREDIT FOR CERTAIN CHARITABLE CONTRIBUTIONS

BY INDIVIDUALS WHO CANNOT DEDUCT THE CONTRIBUTIONS BECAUSE THEY DO NOT ITEMIZE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 23.

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIRED DISCLOSURE STATEMENT AND ELIMINATE DUPLICATIVE REPORTING REQUIREMENTS UNDER THE CHARITABLE SOLICITATIONS ACT AND TO MODIFY AND CLARIFY REQUIREMENTS FOR NONGOVERNMENTAL ENTITIES ACCOUNTABILITY FOR STATE GRANTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 23.

House Committee Substitute for **S.B. 294**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE ISSUANCE AND RENEWAL OF BARBER CERTIFICATES, PERMITS, AND LICENSES, TO ESTABLISH LATE FEES FOR EXPIRED CERTIFICATES, TO MAKE CERTAIN REVISIONS TO THE LAW GOVERNING THE BOARD OF BARBER EXAMINERS AND THE SANITARY RULES, AND TO MAKE CONFORMING CHANGES TO THE COSMETIC ART ACT, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 1089, A BILL TO BE ENTITLED AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS FROM THE INDUSTRIAL COMMISSION TO THE NORTH CAROLINA COURT OF APPEALS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 23. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF BREVARD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO FORMER OWNERS OR ADJOINING OWNERS WITH OR WITHOUT CONSIDERATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 23.

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO ALLOW SWAIN COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 23.

H.B. 1130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 23.

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BATTLEBORO TO SCHEDULE AN ADVISORY REFERENDUM ON ITS MERGER INTO THE CITY OF ROCKY MOUNT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 23.

H.B. 1156, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 23.

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF DARE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Wood for the Committee on Education:

H.B. 1101, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO MAKE PERMANENT THE REQUIREMENT THAT COUNTIES USE PART OF THE TWO HALF-CENT LOCAL SALES TAX PROCEEDS ONLY FOR PUBLIC SCHOOL BUILDINGS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Barnes, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill is ordered engrossed and re-referred to the Committee on Finance.

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Ellis for the Committee on Local and Regional Government I:

S.B. 709, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTIONS OF COLUMBUS COUNTY WATER AND SEWER DISTRICT I, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Edwards and Nichols:

H.B. 1270, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF POWELL ROAD IN CRAVEN COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Edwards:

H.B. 1271, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF LOCAL PUBLIC HEALTH AUTHORITIES, AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Mitchell:

H.B. 1272, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE, is referred to the Committee on Local and Regional Government II.

By Representatives Ramsey and Beall:

H.B. 1273, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, DIVISION OF FOREST RESOURCES, FOR A FORESTRY HEADQUARTERS FACILITY IN MADISON COUNTY, is referred to the Committee on Appropriations.

By Representatives Beall and Ramsey:

H.B. 1274, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA INTERNATIONAL FOLK FESTIVAL, INC., FOR FOLKMOOT USA, is referred to the Committee on Appropriations.

By Representative Crawford:

H.B. 1275, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A FOOD DISTRIBUTION BUILDING, is referred to the Committee on Appropriations.

By Representative Crawford:

H.J.R. 1276, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF

GRANVILLE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gamble and Luebke:

H.B. 1277, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ALTERNATIVE MINIMUM TAX FOR CORPORATIONS THAT REDUCE THEIR TAXABLE INCOME BY DEDUCTING INTEREST EXPENSE ATTRIBUTABLE TO TAX-EXEMPT INTEREST INCOME, is referred to the Committee on Finance.

By Representatives Dickson, Clary, Easterling, Sharpe, and Wright:

H.B. 1278, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE", is referred to the Committee on Judiciary II.

By Representative Rayfield:

H.B. 1279, A BILL TO BE ENTITLED AN ACT CONCERNING THE MANNER OF SELECTING THE MAYOR PRO TEMPORE OF THE TOWN OF MOUNT HOLLY, is referred to the Committee on Local and Regional Government II.

By Representatives Culpepper, Hensley, R. Hunter, McCrary, Neely, and Warner:

H.B. 1280, A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS TO THE STATUTES ESTABLISHING LIENS ON INSURANCE PROCEEDS TO SECURE CHILD SUPPORT, is referred to the Committee on Insurance.

By Representatives Wainwright, Hensley, Hill, R. Hunter, Nichols, and Warner:

H.B. 1281, A BILL TO BE ENTITLED AN ACT TO REPEAL THE THIRTY-DAY RULE FOR DEMANDING A REFUND OF AN ILLEGAL TAX, is referred to the Committee on Finance.

By Representatives Gray, Arnold, Cansler, and Holmes:

H.B. 1282, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN

CHANGES IN THE CONSTITUTION FOR IMPLEMENTING BUDGET ADJUSTMENTS AND ALLOCATIONS, is referred to the Committee on Judiciary I.

By Representatives Gray, Arnold, Cansler, and Holmes:

H.B. 1283, A BILL TO BE ENTITLED AN ACT TO MAKE CONFORMING CHANGES TO IMPLEMENT BUDGET ADJUSTMENTS AND ALLOCATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McCrary, Culpepper, Hensley, R. Hunter, G. Miller, Neely, and Warner:

H.B. 1284, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ENFORCEMENT OF RESTITUTION IN A CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF SUCH A JUDGMENT, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN A CRIMINAL CASE, is referred to the Committee on Judiciary II.

By Representatives Pulley, Adams, Hensley, and Watson:

H.B. 1285, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF SERVICES AT SUMMIT HOUSE, is referred to the Committee on Appropriations.

By Representatives H. Hunter and Adams:

H.B. 1286, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Bowie, Baker, Barbee, Barnes, Berry, Brawley, Buchanan, Cocklereece, Dickson, Easterling, Esposito, Hayes, Hiatt, Hill, Hurley, Ives, Justus, Lee, Lemmond, Locke, McComas, McLaughlin, McMahan, Mercer, G. Miller, Pate, Preston, Pulley, Richardson, G. Robinson, Russell, Sharpe, Sutton, Thompson, Warner, Weatherly, and Yongue:

H.B. 1287, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD

LEVEL CALCULATION AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is referred to the Committee on Judiciary II.

By Representatives Hurley and Shaw (Co-Sponsors); Aldridge, Barbee, Black, W. Brown, Hensley, Hill, R. Hunter, McAllister, K. Miller, Richardson, Sutton, Wainwright, Watson, and Yongue:

H.B. 1288, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES TAX CREDITS AND PARTIAL REFUNDS TO REIMBURSE THEM FOR NORTH CAROLINA INCOME TAX THEY PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, is referred to the Committee on Finance.

By Representatives Kiser, Berry, and Gamble:

H.B. 1289, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, is referred to the Committee on Local and Regional Government II.

By Representatives Berry, Brawley, Buchanan, Hill, Kiser, G. Robinson, and Thompson:

H.B. 1290, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF LAKE HICKORY, is referred to the Committee on Local and Regional Government I.

By Representatives Berry, Aldridge, Bowie, Buchanan, Creech, Decker, Edwards, Esposito, Hiatt, Hill, Howard, Thompson, Warner, C. Wilson, and G. Wilson:

H.B. 1291, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM TO CORRECT THE LAW REGARDING THE FOOD STAMP FELONY FRAUD THRESHOLD, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Berry, Hill, Howard, and Watson:

H.B. 1292, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE STUDY COMMISSION ON WELFARE REFORM TO CONTINUE

THE STUDY OF WELFARE REFORM AND REPORT TO THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nye:

H.B. 1293, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE BLADEN CENTER FOR SWINE MANAGEMENT, MEAT PROCESSING, AND ENVIRONMENTAL PROTECTION AT THE BLADEN COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representatives Sharpe, Adams, Allred, Arnold, Barbee, Berry, Bowie, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Culp, Cummings, Daughtry, Decker, Dickson, Easterling, Eddins, Edwards, Esposito, Grady, Gray, Hiatt, Justus, Lemmond, Linney, McComas, McMahan, K. Miller, Miner, Pate, Pulley, Rayfield, Reynolds, G. Robinson, J. Robinson, Russell, Sexton, Sherrill, Shubert, Tallent, Thompson, Weatherly, G. Wilson, and Wright:

H.B. 1294, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO REQUIRE ALL STATE AGENCIES THAT DEAL WITH CHILD HEALTH AND WELFARE TO REPORT DATA COLLECTION TO THE CHILD FATALITY TASK FORCE, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Wilkins, Black, Brawley, Church, Crawford, Fox, Hill, Lemmond, Locke, Luebke, G. Miller, Mitchell, Neely, Nichols, and Wainwright:

H.B. 1295, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AMOUNT OF MOTOR FUEL TAX PAID ON FUEL USED IN BOATS SHALL BE EARMARKED FOR USE FOR RECREATIONAL PROJECTS, LAKE ADMINISTRATIVE BUILDINGS, AND CONTROL OF AQUATIC WEEDS, is referred to the Committee on Finance.

By Representatives Justus, Aldridge, Baker, Brawley, J. Brown, Buchanan, Cansler, Carpenter, Cummings, Dickson, Edwards, Ellis, Esposito, Grady, Hiatt, Hill, Ives, Kiser, Lemmond, McComas, Nichols, Pate, Preston, G. Robinson, Russell, Sharpe, Sherrill, Shubert, Thompson, Weatherly, and G. Wilson:

H.B. 1296, A BILL TO BE ENTITLED AN ACT TO REPEAL THE THIRTY-DAY TAX PROTEST RULE AND ALLOW A TAXPAYER TO REQUEST A REFUND OF AN ILLEGAL TAX ANYTIME WITHIN THREE YEARS AFTER THE TAX WAS DUE OR SIX MONTHS AFTER PAYING THE TAX, WHICHEVER IS LATER, is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING THE REMAINDER OF THE GROSS PREMIUMS TAX FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE AND TO CLARIFY RELATED STATUTES.

Representative Cansler offers Amendment No. 1 which is adopted by electronic vote (112-0).

Representative Cunningham inquires of the Chair if removal of the appropriation renders the bill ineligible for the session. The Speaker rules that the bill is eligible because it came from a study commission report.

The bill, as amended, passes its second reading, by the following vote and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 113.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Blue and Wood - 2.

RE-REFERRALS

On motion of Representative Neely, pursuant to Rule 39.2 and without objection, **S.B. 33**, A BILL TO BE ENTITLED AN ACT TO GIVE THE DISTRICT COURT CONCURRENT JURISDICTION WITH THE SUPERIOR COURT TO ACCEPT A PLEA OF GUILTY OR NO CONTEST TO A CLASS F, G, H, OR I FELONY WITH THE CONSENT OF THE PRESIDING DISTRICT COURT JUDGE, THE STATE AND THE DEFENDANT, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 1118**, A BILL TO BE ENTITLED AN ACT TO ALLOW CHEROKEE COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS LOCAL BOARD OF EDUCATION, is withdrawn from the Committee on Local and Regional Government II and re-referred to the Committee on Local and Regional Government I.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 1209**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF BREVARD AND HENDERSONVILLE TO CREATE SQUIRREL SANCTUARIES FOR THE PRESERVATION OF THE "BREVARD WHITE SQUIRREL", is withdrawn from the Committee on Local and Regional Government II and re-referred to the Committee on Local and Regional Government I.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 1080**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING, TRAPPING, AND TAKING OF FOXES AT ANY TIME IN CURRITUCK AND PASQUOTANK COUNTIES AND TO PROVIDE THAT THE WILDLIFE RESOURCES COMMISSION SHALL SET THE STARTING AND QUITTING TIMES FOR THE TAKING OF WATERFOWL IN CURRITUCK SOUND AND ITS TRIBUTARIES AT ALL TIMES OF THE YEAR, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Local and Regional Government II.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 1081**, A BILL TO BE ENTITLED AN ACT TO MODIFY

THE MEMBERSHIP, QUALIFICATIONS FOR APPOINTMENT, AND TERMS OF THE TRUSTEES FOR ALBEMARLE HOSPITAL IN PASQUOTANK COUNTY, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Local and Regional Government II.

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 1177, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MERGER OF THE TOWN OF BATTLEBORO INTO THE CITY OF ROCKY MOUNT**, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Local and Regional Government II.

On motion of Representative Morgan, seconded by Representative McCrary, the House adjourns at 1:29 p.m. to reconvene May 23 at 1:00 p.m.

ONE HUNDRED SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES

Thursday, May 23, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker. The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, how good it is to stop for these few moments to give You praise, and to recognize our dependence upon Your grace and power. 'From whence shall my help come? My help comes from the Lord, who made the heavens and the earth.' (Psalms 121:1-2) Father, this Short Session is compacted and intense. We all feel it. We need Your help in committee, here on the floor, and in personal and party relationships. How do we serve the people? How do we handle political expediency? How do I maintain personal integrity? There is so much involved in being a public servant. Decision, regulation, enforcement, and money to pay for it. Taxes! Maybe Appropriations, Budget Planning needs our prayer most, both here and in the Senate. Taxes are kinda like skinning a cat. No matter how you do it, the cat isn't going to like it. Come to think of it, maybe we ought to pray for the cat. But, sooner or later we've got to talk about it. And, Father, please keep us off the horns of that bull called Dilemma. Bless our Speaker and the good men and women of this House today, and may none of us who reverence Your name be an embarrassment to You in any way. Through Christ our Lord.

Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-1).

Leaves of absence are granted Representatives Braswell and G. Robinson for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 1074, AN ACT TO PROHIBIT THE ISSUANCE OF NEW SHELLFISH CULTIVATION LEASES IN CORE BANKS, TO ESTABLISH A MORATORIUM ON SHELLFISH LEASES IN THE REMAINING AREA IN CARTERET COUNTY, AND TO REQUIRE THAT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE STUDY THE SHELLFISH LEASE PROGRAM. (CHAPTER 547)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

Representatives Holmes, Esposito, and Creech, Co-Chairs, for the Committee on Appropriations, submit the following bill with a favorable report for introduction.

A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE.

Pursuant to Rule 31(a), the bill is filed, assigned the number **H.B. 1345** and referred to the Committee on Finance.

By Representative Neely for the Committee on Judiciary II:

S.B. 208, A BILL TO BE ENTITLED AN ACT TO MAKE

TECHNICAL AND CLARIFYING AMENDMENTS AS RECOMMENDED BY THE SENTENCING COMMISSION, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 209, A BILL TO BE ENTITLED AN ACT TO MODIFY MISDEMEANOR STRUCTURED SENTENCING STATUTES TO PERMIT AN ACTIVE SENTENCE EQUAL TO OR LESS THAN TIME SERVED, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Allred, Vice-Chair, for the Committee on Business and Labor:

H.B. 1062, A BILL TO BE ENTITLED AN ACT TO DESIGNATE ENTERPRISE TAX ZONES AND PROVIDE INCENTIVES FOR BUSINESS DEVELOPMENT IN THE ZONES, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1094, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE IMPOSITION OF A FAILURE TO PAY PENALTY WHEN ADDITIONAL TAX DUE IS PAID AT THE TIME AN AMENDED RETURN IS FILED OR WITHIN THIRTY DAYS AFTER THE ADDITIONAL TAX WAS ASSESSED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1119, A BILL TO BE ENTITLED AN ACT TO DELETE THE REQUIREMENT THAT A COMPANY ADD BACK TO ITS NET WORTH FRANCHISE TAX BASE THE AMOUNT OF ITS LOANS THAT ARE PAYABLE TO AN UNRELATED COMPANY BUT ARE ENDORSED OR

GUARANTEED BY A RELATED COMPANY, AS RECOMMENDED BY THE DEPARTMENT OF REVENUE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 555, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS MAY ACCESS, TO MOVE FEE AUTHORIZATIONS FROM SEPARATE SECTIONS TO A GENERAL FEE SECTION, TO ELIMINATE A FEE THAT IS NOT NEEDED, AND TO UPDATE STATUTORY LANGUAGE ON BOARD ANNUAL MEETINGS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1092, A BILL TO BE ENTITLED AN ACT TO ENHANCE COMPLIANCE AND ENFORCEMENT OF EXISTING TAX LAWS BY APPROPRIATING FUNDS TO EXPAND THE NUMBER OF AUDITORS AND SUPPORT PERSONNEL IN THE INTERSTATE AUDIT DIVISION OF THE DEPARTMENT OF REVENUE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

By Representative Dickson for the Committee on Public Utilities:

H.B. 1179, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 1155, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE TO PROVIDE FOR THE EVACUATION OF STATE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Beall and Thompson:

H.B. 1297, A BILL TO BE ENTITLED AN ACT TO ALLOW ALTERNATIVE INVESTMENTS OF IRREVOCABLE PRENEED FUNERAL CONTRACT FUNDS, is referred to the Committee on Finance.

By Representatives Barnes and Hackney (Co-Sponsors):

H.B. 1298, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES IN THE TOWN OF CHAPEL HILL AND ITS EXTRATERRITORIAL PLANNING JURISDICTION, is referred to the Committee on Judiciary II.

By Representatives McComas and Redwine:

H.B. 1299, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAROLINA BEACH AREA SOUTH PROJECT AT KURE BEACH FOR BEACH RENOURISHMENT, is referred to the Committee on Appropriations.

By Representative Owens:

H.B. 1300, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE STATE APPROPRIATE FUNDS TO LOCAL GOVERNMENTS TO COVER THE INCREASED COST IN SALARY-RELATED ITEMS FOR EMPLOYEES IN LOCALLY OPERATED STATE-FUNDED PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Clary, Baker, Carpenter, Dickson, Earle, Easterling, Eddins, Edwards, Kiser, McMahan, Pate, Pulley, Rayfield, Reynolds, J. Robinson, Sharpe, Sherrill, Weatherly, and Wright:

H.B. 1301, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A CHILD FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY ENTITLED TO THE CHILD'S

CUSTODY AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, is referred to the Committee on Judiciary II.

By Representatives Clary, Baker, Carpenter, Earle, Edwards, Kiser, McMahan, Pate, Pulley, Rayfield, Reynolds, J. Robinson, Sharpe, Sherrill, and Weatherly:

H.B. 1302, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ALZHEIMER'S ASSOCIATIONS, is referred to the Committee on Appropriations.

By Representatives Warner, Arnold, Barnes, Black, Church, Fox, Grady, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Justus, Luebke, McAllister, Oldham, Preston, J. Robinson, Wainwright, Wilkins, and Yongue:

H.B. 1303, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS ATTENDING COMMUNITY COLLEGES AND TO MAKE AN APPROPRIATION, is referred to the Committee on Appropriations.

By Representative Mercer:

H.B. 1304, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, DIVISION OF FOREST RESOURCES, TO PROVIDE AN ASSISTANT COUNTY RANGER IN PITT COUNTY, is referred to the Committee on Appropriations.

By Representatives Gray, Barnes, Hackney, and Kiser (Co-Sponsors); Culp, R. Hunter, Lemmond, Neely, Owens, Pate, and Wilkins:

H.B. 1305, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE INSTITUTE OF GOVERNMENT, is referred to the Committee on Appropriations.

By Representatives Thompson and Buchanan:

H.B. 1306, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, is referred to the Committee on Local and Regional Government II.

By Representatives Thompson and Buchanan:

H.B. 1307, A BILL TO BE ENTITLED AN ACT REGARDING MITCHELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 1308, A BILL TO BE ENTITLED AN ACT REGARDING CATAWBA COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 1309, A BILL TO BE ENTITLED AN ACT REGARDING AVERY COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 1310, A BILL TO BE ENTITLED AN ACT REGARDING CALDWELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 1311, A BILL TO BE ENTITLED AN ACT REGARDING BURKE COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Edwards, Aldridge, Allred, Arnold, Baker, Berry, Black, Brawley, Buchanan, Cansler, Capps, Church, Clary, Culp, Cummings, Daughtry, Davis, Dockham, Esposito, Gardner, Hill, Howard, Justus, Kiser, Linney, McComas, McCombs, K. Miller, Mitchell, Neely, Nichols, Pate, Rayfield, Reynolds, Russell, Sexton, Shubert, Tolson, Weatherly, C. Wilson, and G. Wilson:

H.B. 1312, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MEDICAL SAVINGS ACCOUNT PLANS THE CONTRIBUTIONS TO WHICH ARE DEDUCTIBLE FROM STATE TAXES UNDER CERTAIN

CIRCUMSTANCES, is referred to the Committee on Finance.

By Representatives Arnold, Creech, Fitch, Locke, and Tolson:

H.B. 1313, A BILL TO BE ENTITLED AN ACT TO ALLOW WILSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government I.

By Representatives Arnold, Creech, Fitch, Locke, and Tolson:

H.B. 1314, A BILL TO BE ENTITLED AN ACT TO ALLOW NASH AND WILSON COUNTIES TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Easterling, Alexander, Boyd-McIntyre, Braswell, Clary, Cunningham, Dickson, Earle, Luebke, McAllister, McLaughlin, Nye, Sharpe, Womble, Wright, and Yongue:

H.B. 1315, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO EXTEND THE TASK FORCE UNTIL 1999, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Easterling, Alexander, Boyd-McIntyre, Braswell, Clary, Cunningham, Dickson, Earle, Luebke, McAllister, McLaughlin, Nye, Sharpe, Womble, Wright, and Yongue:

H.B. 1316, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO BROADEN THE ACCESS TO CONFIDENTIAL RECORDS FOR THE PURPOSES OF CHILD FATALITY REVIEW AND PREVENTION, is referred to the Committee on Welfare Reform and Human Resources.

By Representative Nichols:

H.B. 1317, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY CHARGE FOR PERMITS AND COMPLIANCE MONITORING UNDER THE WATER QUALITY PROGRAM AND TO INCREASE THE MAXIMUM PERCENTAGE OF THE TOTAL BUDGETS

OF CERTAIN ENVIRONMENTAL PROGRAMS THAT MAY BE DERIVED FROM FEES FROM THIRTY TO FIFTY PERCENT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Finance.

By Representative Esposito:

H.B. 1318, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE BLUE RIBBON TASK FORCE ON THE ISSUE OF THE POTENTIAL IMPACT OF FEDERAL BLOCK GRANT FUNDING AND OTHER FEDERAL ACTIONS ON MEDICAID IN NORTH CAROLINA TO EXTEND THE STUDY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Watson:

H.B. 1319, A BILL TO BE ENTITLED AN ACT CONCERNING THE DEFINITION OF SUBDIVISION FOR THE TOWN OF ROSE HILL, is referred to the Committee on Local and Regional Government I.

By Representatives Hensley and Neely (Co-Sponsors); Culpepper, R. Hunter, and McCrary:

H.B. 1320, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT OF CERTIFIED MAIL NOTICE IN BOND FORFEITURE CASES, is referred to the Committee on Judiciary II.

By Representatives Hensley, Culpepper, R. Hunter, and McCrary:

H.B. 1321, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CIVIL TRIAL IN DISTRICT COURT WILL NOT BE REPORTED UNLESS A PARTY REQUESTS REPORTING IN WRITING OR THE COURT ORDERS REPORTING, is referred to the Committee on Judiciary I.

By Representatives Justus and Thompson:

H.B. 1322, A BILL TO BE ENTITLED AN ACT TO CLARIFY ELIGIBILITY UNDER THE SALARY CONTINUATION PLAN FOR EMPLOYEES OF THE DEPARTMENT OF CORRECTION, is referred to the Committee on Appropriations.

By Representatives Justus, Cansler, Nichols, and Thompson:

H.B. 1323, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO REIMBURSE LOCAL CONFINEMENT FACILITIES FOR THE EXPENSES OF MAINTAINING INMATES PENDING TRANSFER TO THE STATE PRISON SYSTEM, is referred to the Committee on Appropriations.

By Representatives Justus and Thompson:

H.B. 1324, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REGULAR PERIOD OF POST-RELEASE SUPERVISION FROM SIX TO NINE MONTHS, TO EXTEND THE PERIOD OF POST-RELEASE SUPERVISION TO FIVE YEARS FOR SEX OFFENDERS AND TO PROVIDE FOR SPECIAL CONDITIONS OF POST-RELEASE SUPERVISION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF MINORS, is referred to the Committee on Judiciary II.

By Representatives Justus and Thompson:

H.B. 1325, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CONDITIONS OF PROBATION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF CHILDREN, is referred to the Committee on Judiciary II.

By Representatives Davis and W. Brown:

H.B. 1326, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A FORESTRY HEADQUARTERS IN LEE COUNTY, is referred to the Committee on Appropriations.

By Representatives Davis, W. Brown, and Pate:

H.B. 1327, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO REIMBURSE COUNTIES FOR HOUSING AND TRANSPORTATION COSTS FOR INMATES AWAITING TRANSFER TO THE STATE PRISON SYSTEM, is referred to the Committee on Appropriations.

By Representatives W. Brown and Davis:

H.B. 1328, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SANFORD GOLF COMMISSION, is referred to the Committee on Local and

Regional Government II.

By Representatives Wilkins, Buchanan, Crawford, Culpepper, Fox, Rogers, and Watson:

H.B. 1329, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE THE ADDITIONAL INDEPENDENT LIVING REHABILITATION SERVICE OFFICES AND STAFF NECESSARY TO ENABLE THE INDEPENDENT LIVING REHABILITATION PROGRAM TO SERVE ALL THE COUNTIES OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative Shaw:

H.B. 1330, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR A BUSINESS INCUBATOR FOR THE CITY OF FAYETTEVILLE, is referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representative Dockham for the Committee on Insurance:

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO CONFORM THE PENALTY FOR WORKERS' COMPENSATION FRAUD TO THE PENALTY FOR INSURANCE FRAUD AND TO RAISE THE PENALTIES FOR CERTAIN OTHER WORKERS' COMPENSATION OFFENSES FROM CLASS 1 MISDEMEANORS TO CLASS H FELONIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary II.

The bill is re-referred to the Committee on Judiciary II.

H.B. 1193, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE EFFECTIVE FINANCIAL SUPERVISION, REHABILITATION, AND LIQUIDATION PROCEDURES FOR CONTINUING CARE RETIREMENT CENTERS AND TO PROVIDE THAT CONTINUING CARE AGREEMENTS ARE SUBORDINATE TO THE COST OF ADMINISTRATION IN LIQUIDATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON

INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UNINSURED AND UNDERINSURED MOTORIST COVERAGE MAY BE LIMITED OR EXCLUDED UNDER EXCESS OR UMBRELLA POLICIES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Decker, **H.B. 1130**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, is withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of Representative Decker, **H.B. 1122**, A BILL TO BE ENTITLED AN ACT TO ALLOW SWAIN COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES, is withdrawn from the Calendar and re-referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 1097, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF BREVARD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO FORMER OWNERS OR ADJOINING OWNERS WITH OR WITHOUT CONSIDERATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1140, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF BATTLEBORO TO SCHEDULE AN ADVISORY

REFERENDUM ON ITS MERGER INTO THE CITY OF ROCKY MOUNT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1156, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING THE REMAINDER OF THE GROSS PREMIUMS TAX FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE AND TO CLARIFY RELATED STATUTES.

Representative Carpenter offers Amendment No. 2 which is adopted by electronic vote (108-7).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Farbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wright, and Yongue - 110.

Voting in the negative: Representatives McLaughlin and K. Miller - 2.

Excused absences: Representatives Braswell and G. Robinson - 2.

H.B. 1090, A BILL TO BE ENTITLED AN ACT TO REMOVE THE REQUIREMENT FOR WORKERS' COMPENSATION COVERAGE FOR SUBCONTRACTORS WITH NO EMPLOYEES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1165, A BILL TO BE ENTITLED AN ACT TO INCREASE GIVING TO CHARITABLE NONPROFIT ORGANIZATIONS BY EXEMPTING FROM SALES AND USE TAX TANGIBLE PERSONAL PROPERTY THAT IS MANUFACTURED OR PURCHASED FOR RESALE BY A WHOLESALE MERCHANT OR A RETAILER AND THEN DONATED TO A CHARITABLE NONPROFIT ORGANIZATION, BY EXPANDING THE STATE CORPORATE INCOME TAX DEDUCTION FOR CHARITABLE CONTRIBUTIONS, AND BY PROVIDING AN INCOME TAX CREDIT FOR CERTAIN CHARITABLE CONTRIBUTIONS BY INDIVIDUALS WHO CANNOT DEDUCT THE CONTRIBUTIONS BECAUSE THEY DO NOT ITEMIZE, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIRED DISCLOSURE STATEMENT AND ELIMINATE DUPLICATIVE REPORTING REQUIREMENTS UNDER THE CHARITABLE SOLICITATIONS ACT AND TO MODIFY AND CLARIFY REQUIREMENTS FOR NONGOVERNMENTAL ENTITIES' ACCOUNTABILITY FOR STATE GRANTS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1089**, A BILL TO BE ENTITLED AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS FROM THE INDUSTRIAL COMMISSION TO THE NORTH CAROLINA COURT OF APPEALS AND TO CLARIFY THE PROCEDURE FOR SUCH INDIGENT APPEALS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of the Chair, the House recesses at 1:50 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Holmes, Esposito, and Creech, Co-Chairs, for the Committee on Appropriations:

H.B. 1108, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, with a favorable report as to committee substitute bill, as amended, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 24. The original bill is placed on the Unfavorable Calendar.

RE-REFERRAL

On motion of Representative Dockham, pursuant to Rule 39.2 and without objection, **H.B. 1280**, A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS TO THE STATUTES ESTABLISHING LIENS ON INSURANCE PROCEEDS TO SECURE CHILD SUPPORT, is withdrawn from the Committee on Insurance and re-referred to the Committee on Judiciary II.

On motion of Representative Morgan, seconded by Representative McLaughlin, the House adjourns at 5:00 p.m. to reconvene May 24 at 10:00 a.m.

ONE HUNDRED EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Friday, May 24, 1996

The House meets at 10:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Father, thank You for the gift of life today, and for our place in history and time. In his coronation prayer, King Solomon asked for discernment and wisdom. (I Kings 3:9-12) And, Jesus said, 'Seek ye first the Kingdom of God and his righteousness...'. (Matthew 6:33) Both are worthy goals for us to seek to attain. Father, I've been advised that today is 'B Day'. We are about to cross the Legislative Channel and hit the 'Forensic' beach. The landing craft are loaded. We have our weapons and ammunition ready. We know what we are going to hit, where we will hit, how we will strike, and who we will attack. Our strategy is planned. And, we know that the opposition is thinking the same way. It sounds like it might be the beginning of a pretty good contest, Lord. And so, help each one of us to give it our best. May our arguments be firm because they are true, our logic refined because we care, our rebuttals effective because they come from both head and heart, and, when the final 'lock the machine and record the vote' is sounded, may the true winners be the people of our great state. And then, when we lie down to rest tonight, and the echoes of our debate have finally faded from our minds, and we have laid to rest all the 'if onlys' of our day. Help us to be able to say, 'Well, Lord, I did my best', and since You 'neither slumber nor sleep' (Psalms 121:4), I know that You will be watching over my family and things. And so, if it's okay with You I could use a good night's sleep. Thank You Father. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 23 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-0).

Leaves of absence are granted Representatives Blue, Braswell, Linney, and Womble for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Mitchell:

H.B. 1331, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT

CHOCOLATE MILK THAT IS EXEMPT FROM SOFT DRINK TAX IS NOT REQUIRED TO REGISTER WITH THE DEPARTMENT OF REVENUE FOR THE EXEMPTION, is referred to the Committee on Finance.

By Representative Aldridge:

H.J.R. 1332, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REALLOCATE FIRE AND RESCUE GRANTS FOR EQUIPMENT AND CAPITAL IMPROVEMENTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Neely:

H.B. 1333, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CREATION OF THE CIVIL PROCEDURE STUDY COMMISSION, is referred to the Committee on Appropriations.

By Representative Carpenter:

H.B. 1334, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL PAY DATE FOR THE CHEROKEE COUNTY SCHOOLS, is referred to the Committee on Local and Regional Government II.

By Representatives Dickson and Gamble:

H.B. 1335, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE GASTONIA FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT, is referred to the Committee on Appropriations.

By Representatives Wilkins, Crawford, and Fox:

H.B. 1336, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE GRANVILLE COUNTY BOARD OF COUNTY COMMISSIONERS FOR CONSTRUCTION OF A NEW CEMETERY IN BUTNER, is referred to the Committee on Appropriations.

By Representatives Mitchell, Culp, Locke, Nichols, Tolson, and Weatherly:

H.B. 1337, A BILL TO BE ENTITLED AN ACT TO CHANGE THE CIVIL PENALTIES THAT MAY BE ASSESSED AGAINST CERTAIN LICENSE HOLDERS FOR EMISSIONS INSPECTIONS BASED ON WHETHER THE VEHICLE WAS INTENTIONALLY IMPROPERLY PASSED INSPECTION AND TO CHANGE THE PROVISIONS REGARDING THE SUSPENSION OR REVOCATION OF LICENSES TO PROVIDE FOR NOTICE AND HEARING, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Health and Environment.

By Representatives Mitchell, Culp, Ives, Locke, Nichols, Tolson, and Weatherly:

H.B. 1338, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, is referred to the Committee on Health and Environment.

By Representatives Mitchell, Culp, Locke, Nichols, Tolson, and Weatherly:

H.B. 1339, A BILL TO BE ENTITLED AN ACT TO IMPROVE WATER QUALITY BY ESTABLISHING A GOAL TO REDUCE THE AVERAGE LOAD OF NITROGEN DELIVERED TO THE NEUSE RIVER ESTUARY FROM POINT AND NONPOINT SOURCES BY THIRTY PERCENT OF THE AVERAGE ANNUAL LOAD FOR THE PERIOD 1991 THROUGH 1995 BY THE YEAR 2001 AND TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DEVELOP A PLAN TO ACHIEVE THIS GOAL, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Health and Environment.

By Representative Nichols:

H.B. 1340, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONREGULATORY PROGRAM TO PROTECT WATER QUALITY AND TO CREATE THE RIPARIAN BUFFER FACILITATION AND ASSISTANCE GRANT FUND TO SUSTAIN WATER QUALITY IN THE STATE THROUGH COOPERATIVE METHODS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the

Committee on Health and Environment.

By Representative Nichols:

H.B. 1341, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT PHASE ONE OF THE RESTRUCTURING OF ENVIRONMENTAL PROGRAMS IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL PROCESS ACTION TEAM OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Health and Environment.

By Representative Shaw:

H.B. 1342, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE NOMINATION IS MADE ON A TIMELY BASIS, is referred to the Committee on Local and Regional Government I.

By Representatives Owens and Shaw (Co-Sponsors):

H.B. 1343, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA, is referred to the Committee on Business and Labor and, if favorable, to the Committee on Finance.

By Representatives J. Brown, Weatherly, and G. Wilson:

H.B. 1344, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FUTURE FARMERS OF AMERICA CENTER, is referred to the Committee on Appropriations.

By Representatives Tolson, Culp, Locke, Mitchell, Nichols, and Weatherly:

H.B. 1346, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE

ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Judiciary I.

By Representatives McAllister, Eddins, Hurley, Richardson, Sutton, Warner, and Yongue:

H.B. 1347, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE NATIONAL FORENSICS LEAGUE TOURNAMENT, is referred to the Committee on Local and Regional Government II.

By Representative Watson:

H.B. 1348, A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF WALLACE A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, is referred to the Committee on Local and Regional Government I.

By Representatives Lemmond, Aldridge, Arnold, Berry, Black, Cansler, Carpenter, Cocklereece, Culp, Cummings, Eddins, Ives, Justus, Kiser, Linney, McMahan, Pulley, Rayfield, Sexton, Sharpe, Sherrill, Shubert, Watson, Wilkins, and G. Wilson:

H.B. 1349, A BILL TO BE ENTITLED AN ACT TO AMEND THE PSYCHOLOGY PRACTICE ACT AND RELATED STATUTES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Weatherly, J. Brown, Culp, Dickson, Locke, McCombs, Mitchell, Nichols, Pate, Rayfield, Tolson, and Yongue:

H.B. 1350, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUED SOLVENCY OF THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND TO MAKE OTHER CHANGES TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Health and Environment.

By Representatives Culp, Ives, Locke, Mitchell, Tolson, and Weatherly:

H.B. 1351, A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS AND PUMP CONTRACTORS CERTIFICATION COMMISSION, TO AMEND THE WELL DRILLERS AND PUMP INSTALLERS REGISTRATION REQUIREMENTS, AND TO MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Health and Environment.

By Representatives Culp, J. Brown, Carpenter, Hill, and G. Wilson:

H.B. 1352, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AND EXPANSION OF THE DEPARTMENT'S AGRONOMIC SERVICES PROGRAM, is referred to the Committee on Appropriations.

By Representatives Hensley, Culpepper, R. Hunter, Kiser, McCrary, Neely, and Sutton:

H.B. 1353, A BILL TO BE ENTITLED AN ACT TO DECREASE THE PERIOD OF TIME IN DOMESTIC VIOLENCE CASES THAT A DEFENDANT MAY BE HELD IN CUSTODY WITHOUT A DETERMINATION OF PRETRIAL RELEASE BY A JUDGE, is referred to the Committee on Judiciary II.

By Representatives Locke, Church, Culp, McCrary, Mitchell, Nichols, Owens, Tolson, Weatherly, and Yongue:

H.B. 1354, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE FORESTRY COUNCIL OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND REDEFINE ITS RESPONSIBILITIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Health and Environment.

By Representatives Hurley, McAllister, Richardson, Shaw, Sutton, Warner, and Yongue:

H.B. 1355, A BILL TO BE ENTITLED AN ACT TO EXTEND UP TO TWENTY YEARS THE PERIOD TO REPAY SPECIAL ASSESSMENTS IN THE CITY OF FAYETTEVILLE, is referred to the Committee on Local and Regional Government II.

By Representatives Culp, Hill, Locke, McCombs, Mitchell, Tolson, and Weatherly:

H.B. 1356, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE THE TECHNICAL ASSISTANCE, TRAINING, AND PUBLIC AWARENESS PROGRAMS UNDER THE MINING ACT OF 1971 AND THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Appropriations.

By Representative Culpepper:

H.B. 1357, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ANNEXATION OF THE EDENTON AIRPORT FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN OF EDENTON, is referred to the Committee on Local and Regional Government II.

By Representatives Allred and Reynolds (Co-Sponsors):

H.B. 1358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA, TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC., is referred to the Committee on Local and Regional Government II.

By Representatives Russell, Mercer, and Sharpe:

H.B. 1359, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONTINUED OPERATION OF CERTAIN UNLINED MUNICIPAL SOLID WASTE LANDFILLS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, is referred to the Committee on Health and Environment.

By Representatives Culp, Lemmond, Locke, Mitchell, Tolson, and Weatherly:

H.B. 1360, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RECYCLING BUSINESS ASSISTANCE CENTER WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Appropriations.

By Representative Neely:

H.B. 1361, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CREATION OF THE CRIMINAL PROCEDURE STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Creech and Sharpe:

H.B. 1362, A BILL TO BE ENTITLED AN ACT TO SPECIFICALLY DISAPPROVE PROPOSED ADMINISTRATIVE RULES BY THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONALS CERTIFICATION BOARD THAT HAVE BEEN APPROVED BY THE RULES REVIEW COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Creech and Sharpe:

H.B. 1363, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ADMINISTRATIVE PROCEDURE ACT, TO MAKE CHANGES IN VARIOUS LAWS GRANTING THE POWER TO ADOPT RULES, AND TO CLARIFY THE REQUIREMENTS CONCERNING CERTAIN REMOVALS OF UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, is referred to the Committee on Judiciary I.

By Representatives Creech, Ives, and Sharpe:

H.B. 1364, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BUILDING CODE COUNCIL TO SUBMIT PROPOSED AMENDMENTS TO THE RESIDENTIAL BUILDING CODE TO THE RULES REVIEW COMMISSION FOR APPROVAL AND TO SUBJECT THE AMENDMENTS APPROVED BY THE RULES REVIEW COMMISSION TO LEGISLATIVE DISAPPROVAL, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND

CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

On motion of Representatives Holmes, Committee Amendment No. 1 is adopted by electronic vote (109-0).

On motion of Representative Gardner, Committee Amendment No. 2 is adopted by electronic vote (110-0).

Representative McAllister offers Committee Amendment No. 3.

On motion of Representative Daughtry, seconded by Representative Dockham, Committee Amendment No. 3 is tabled by electronic vote (71-40).

Representative Black sends forth an amendment.

The Chair rules the amendment out of order. The amendment is returned to the member.

Representative Alexander offers Amendment No. 4 which fails of adoption by electronic vote (47-65).

Representative Rogers sends forth an amendment.

Representative Rogers withdraws his amendment.

Representative Barnes offers Amendment No. 5 which is adopted by electronic vote (110-0).

Representative Barnes offers Amendment No. 6.

On motion of Representative Daughtry, seconded by Representative Dockham, Amendment No. 6 is tabled by electronic vote (60-53).

Representative Michaux sends forth an amendment.

The Chair rules the amendment out of order. The amendment is returned to the member.

Representative Hensley sends forth an amendment.

The Chair rules the amendment out of order.

Representative Hensley inquires of the Chair why the amendment has been ruled out of order. The Speaker states that all amendments that do not state exactly where within the parameters of the budget money is being moved will be ruled out of order. The amendment is returned to the member.

Representative Redwine offers Amendment No. 7.

On motion of Representative Daughtry, seconded by Representative Nichols, Amendment No. 7 is tabled by electronic vote (68-46).

Representative H. Hunter sends forth an amendment.

The Chair rules the amendment out of order. The amendment is returned to the member.

Representative Adams offers Amendment No. 8.

On motion of Representative Daughtry, seconded by Representative Dockham, Amendment No. 8 is tabled by electronic vote (67-39).

Representative Luebke sends forth an amendment.

The Chair rules the amendment out of order. The amendment is returned to the member.

Representative Cunningham sends forth an amendment.

The Chair rules the amendment out of order. The amendment is returned to the member.

Representative Black offers Amendment No. 9.

On motion of Representative Daughtry, seconded by Representative Dockham, Amendment No. 9 is tabled by electronic vote (62-49).

Representative H. Hunter sends forth an amendment.

The Chair rules the amendment out of order. Pursuant to Rule 9(a), Representative H. Hunter appeals the ruling of the Chair. The appeal fails of a 2/3 vote, by electronic vote (24-73), and the amendment is returned to the member.

Representative Sutton offers Amendment No. 10.

On motion of Representative Daughtry, seconded by Representative Dockham, Amendment No. 10 is tabled by electronic vote (65-49).

Representative Barnes sends forth an amendment.

The Chair rules the amendment out of order. The amendment is returned to the member.

The bill, as amended, passes its second reading by electronic vote (74-39).

Representative Buchanan requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (75-39).

On motion of the Chair, the House recesses at 3:07 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

Without objection, Committee Substitute for **H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is before the Body on its third reading.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (81-26).

The bill, as amended, passes its third reading, by electronic vote (75-35), and is ordered engrossed and sent to the Senate by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

House Committee Substitute for **S.B. 1014**, A BILL TO BE ENTITLED AN ACT REQUIRING CRIMINAL HISTORY RECORD CHECKS OF

UNLICENSED APPLICANTS FOR EMPLOYMENT IN NURSING HOMES AND DOMICILIARY HOMES, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 1199, A BILL TO BE ENTITLED AN ACT TO REVISE THE DEFINITION OF NONFLEET MOTOR VEHICLE TO ALLOW FLEXIBILITY FOR THE NUMBER OF AUTOMOBILES THAT MAY BE WRITTEN UNDER A PERSONAL AUTOMOBILE INSURANCE POLICY AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for May 28. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Morgan, seconded by Representative Wilkins, the House adjourns at 3:48 p.m. to reconvene Tuesday, May 28, 1996, at 4:00 p.m.

ONE HUNDRED NINETEENTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1996

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You for a safe journey back to Raleigh, and for allowing us the honor, joy, and pain of Memorial Day. Your

Word says a lot about remembering, 'Remember thy Creator in the days of thy youth...' (Ecclesiastes 12:1), 'This do in remembrance of me...'. (Luke 22:19)

'It's Memorial Day, we place wreaths, hear "Taps",
Salute the flag.
I walk in a Military Cemetery too silent
To boast or brag.

White crosses and stars stand on duty, silent sentinels
Keeping their guard.
But, big races, ball games, and picnics at first
Make memory hard.
Then, in my mind's eye I see them. Dot, prettiest girl
in her class. And Mac, handsome, blue eyed and strong,
Best runningback in our conference,
Oh God, all this is so wrong.

One year older than I, and Mac was my ideal and friend,
As we shook hands after scoring a touchdown,
We felt that life was ahead
Without end.

High school sweethearts, married secretly
In 1942, I won't tell.
But, Hitler had raped all of Europe, and Pearl Harbor
Plunged us all into war's hell.

And, Mac was there on "D Day" when radio
Crackled the start,
He scrambled ashore through the cross fire, with
a picture of Dot and their son near his heart.

Oh God, not Mac, he couldn't go, but
A white cross in France says it's so.
Then my mind goes back to our childhood,
To high school and a life just begun.
To the face of his sweetheart, to the face of a friend,
Not old like mine but still young,
Etched in memory's bouquet, and refreshed by a tear,
And Heaven seems close, for our friends make it near.

A great song is new each time it is sung,
And those loved and remembered are perpetually young.

And, hearts and eyes speak when our voices go dumb.

Not just crosses and stars,

Those silent sentinels of time,

But, the stories they tell are in the heart's

Meter and rhyme.

Of stories of what was and of what might have been.

For a high school sweetheart, young son, and a friend.'

Thank You, Father, for time to remember, and for work that pushes us on.
For our government, and for the men and women who work to make it go.
May each one of us and our Pages have a good and productive week, and, God
Bless America. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (90-3).

Leaves of absence are granted Representatives Bowen, Braswell, Cunningham, Hayes, Hunt, G. Robinson, Wood, and Wright for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

RESOLUTION OF BOARD OF COMMISSIONEERS OF THE TOWN OF CAPE CATERET

The resolution is made available for inspection in the office of the Principal Clerk.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

**H.B. 1088, AN ACT TO CHANGE THE REQUIREMENT FOR
HOSPITAL REIMBURSEMENT IN WORKERS' COMPENSATION
CASES. (CHAPTER 548)**

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1230, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF MAGGIE VALLEY DEALING WITH LAND-USE POWERS AND TO REFLECT THAT THE TOWN HAS ADOPTED THE MANAGER FORM OF GOVERNMENT, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 29.

By Representative Daughtry for the Committee on Judiciary I:

H.B. 1264, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED COPIES OF OUT-OF-STATE CUSTODY DECREES AND FOR THE VALIDATION OF CERTIFIED COPIES OF WILLS RECORDED WITHOUT PROBATE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Easterling, Alexander, Barbee, Black, Cunningham, Dickson, Earle, Lemmond, McMahan, and Rayfield:

H.B. 1365, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A LEGISLATIVE RESEARCH COMMISSION STUDY ON IMPROVING THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Edwards:

H.B. 1366, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF WASHINGTON, is

referred to the Committee on Local and Regional Government I.

By Representatives Holmes, Esposito, and Creech (Co-Sponsors):

H.B. 1367, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, is referred to the Committee on Appropriations.

By Representatives Ives, Black, and Lemmond:

H.B. 1368, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STATE BOXING COMMISSION WILL NOT REGULATE AMATEUR BOXING AND TO LEVY A GROSS RECEIPTS TAX ON SALES OF CLOSED-CIRCUIT TELECASTS AND PAY-PER-VIEW TELECASTS OF BOXING MATCHES, is referred to the Committee on Finance.

By Representatives Shaw and H. Hunter:

H.B. 1369, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO PROVIDE ECONOMIC INCENTIVES TO NORTH CAROLINA CITIES VYING TO HOST THE CENTRAL INTERCOLLEGIATE ATHLETIC ASSOCIATION (CIAA) BASKETBALL TOURNAMENT, is referred to the Committee on Appropriations.

By Representative Decker:

H.B. 1370, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, is referred to the Committee on Local and Regional Government II.

By Representative Daughtry:

H.B. 1371, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE COUNTY OF JOHNSTON FROM CERTAIN STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF AN ANIMAL CONTROL FACILITY, is referred to the Committee on Local and Regional Government I.

INTRODUCTION OF PAGES

Pages for the week of May 28-31 are introduced to the membership. They are: Justin Buff of Union; Tiffany Elaine Burke of Wake; Abigail Lynn Cameron of Randolph; Amber Leigh Crawford of Haywood; Mark Edward Dancy of Iredell; Melissa Duggins of Randolph; Shemeika Ann Fuller of Guilford; Susan Spruill Green of Halifax; Melody Dawn Heath of Wake; Stephanie Renè Hill of Haywood; Aneda Kathleen Mertz of Cumberland; Julia Elizabeth Rasmussen of Gaston; Catharine Porter Robinson of Orange; Regina Marie Rogers of Person; Todd Short of Warren; Amanda Leigh Stevens of Rockingham; Matthew Stoen of Warren; Jennifer Reneè Voncannon of Randolph; Justin Kane Williams of Burke; Amber Kelly Williams of Moore; Ashley Karla Williams of Moore; Lewis Edward Winstead, Jr. of Person; and Erin Elizabeth Woody of Gaston.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 843**, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES REGARDING ANTITRUST LAW TO ENSURE THAT THESE PROVISIONS ARE INTERNALLY CONSISTENT AND CONSISTENT WITH FEDERAL ANTITRUST LAWS, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1094, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE IMPOSITION OF A FAILURE TO PAY PENALTY WHEN ADDITIONAL TAX DUE IS PAID AT THE TIME AN AMENDED RETURN IS FILED OR WITHIN THIRTY DAYS AFTER THE ADDITIONAL TAX WAS ASSESSED, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1155, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE STATE CAPITOL POLICE TO PROVIDE FOR THE EVACUATION OF STATE BUILDINGS AND GROUNDS IN THE EVENT OF EMERGENCY OR POTENTIALLY HAZARDOUS CONDITIONS, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1193, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MORE EFFECTIVE FINANCIAL SUPERVISION, REHABILITATION, AND LIQUIDATION PROCEDURES FOR CONTINUING CARE RETIREMENT CENTERS AND TO PROVIDE THAT CONTINUING CARE AGREEMENTS ARE SUBORDINATE TO THE COST OF ADMINISTRATION IN LIQUIDATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UNINSURED AND UNDERINSURED MOTORIST COVERAGE MAY BE LIMITED OR EXCLUDED UNDER EXCESS OR UMBRELLA POLICIES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES.

On motion of Representative Cocklereece, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

Committee Substitute for **H.B. 1199**, A BILL TO BE ENTITLED AN ACT TO REVISE THE DEFINITION OF NONFLEET MOTOR VEHICLE TO ALLOW FLEXIBILITY FOR THE NUMBER OF AUTOMOBILES THAT MAY BE WRITTEN UNDER A PERSONAL AUTOMOBILE INSURANCE POLICY AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, passes its second reading, by electronic

vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Morgan, seconded by Representative Earle, the House adjourns at 4:34 p.m. to reconvene May 29 at 1:30 p.m.

ONE HUNDRED TWENTIETH DAY

HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1996

The House meets at 1:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our gracious Heavenly Father, thank You for the gift of life again today. If we have stumbled, forgive us, and if we are tempted, sustain us. The Psalmist prayed, 'Search me, O Lord, and see if there be any wicked way in me...': (Psalms 139:23) integrity, motive, what we really are when no one will know and nobody is looking. There was real fruit on the Communion table, and as I walked toward the pulpit, I thought, 'Boy, I sure would like one of those bananas.' The service began and during the Pastoral Prayer, I heard Mac and Jimmy on the first pew snickering. Monday at Rotary, Mac's dad said, 'Preacher, sorry that Mac misbehaved yesterday. When we got home, I asked him why he and Jimmy were laughing during the prayer'. He said, 'Well, when we saw all that fruit, I said, 'Jimmy, I sure wish I had one of those bananas. But, how can I get one with everybody looking?'" Then Pastor Mills said, 'Let us pray', and Jimmy punched me and said, 'Okay, Mac, now's the time'. 'You didn't spank him?' 'No.' 'Good.' That's it, Lord. Nobody looking. That's when temptation really comes. When I can hide behind anonymity. Hide my real motive within the law, or cover my ulterior purpose as I champion the cause of the young or the old or the poor, or as I don't preach on certain issues that might offend my wealthy parishioner. We all are tempted, Lord, but keep us reminded that You created our minds, and we will never get anywhere trying to use them to outsmart You. Give us a good day, Father, both without and within, especially when nobody is looking. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 28 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (108-3).

Leaves of absence are granted Representatives Fitch, Gray, Wood, and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOLDING THE CANVASS FOR PRIMARIES AND ELECTIONS ON THE THIRD RATHER THAN THE SECOND DAY AFTER ELECTION DAY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1159, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON DESIGNATION OF EMPLOYMENT SECURITY COMMISSION OFFICES AS VOTER REGISTRATION AGENCIES AND TO PROVIDE FOR FUNDING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO ALLOW PRECINCT ASSISTANTS TO WORK SPLIT SHIFTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 30.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1180, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE, with a favorable report, and recommendation that the bill be re-referred to the Committee on Education.

The bill is re-referred to the Committee on Education.

H.B. 1081, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP, QUALIFICATIONS FOR APPOINTMENT, AND TERMS OF THE TRUSTEES FOR ALBEMARLE HOSPITAL IN PASQUOTANK COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 30.

H.B. 1112, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MAXTON TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE TO THE HISTORIC PRESERVATION FOUNDATION OF NORTH CAROLINA, INC., A NONPROFIT CORPORATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 30.

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO ALLOW ONE-STOP BALLOTS TO BE DIRECTLY INSERTED IN OPTICAL SCAN TABULATORS IN WAKE COUNTY AS IF THE BALLOTS WERE BEING VOTED AT THE PRECINCT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 30.

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT IN PASQUOTANK COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 30.

H.B. 1177, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MERGER OF THE TOWN OF BATTLEBORO INTO THE CITY OF ROCKY MOUNT, with a favorable report, and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1210, A BILL TO BE ENTITLED AN ACT CLARIFYING THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF THE DARE COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD, with a favorable report, and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1211, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF KILL DEVIL HILLS, with a favorable report, and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1215, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ROCKINGHAM BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 30.

H.B. 1219, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF ALAMANCE AND THE CITIES LOCATED IN THAT COUNTY TO DONATE UNCLAIMED BICYCLES TO CHARITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1231, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE COUNTIES OF ALLEGHANY, SURRY, AND WATAUGA AMONG THOSE COUNTIES THAT REQUIRE CONSENT OF THE BOARD OF COUNTY COMMISSIONERS BEFORE LAND MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1252, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, with a favorable report, and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 30.

H.B. 1272, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE, with a favorable report, and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1279, A BILL TO BE ENTITLED AN ACT CONCERNING THE MANNER OF SELECTING THE MAYOR PRO TEMPORE OF THE TOWN OF MOUNT HOLLY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for May 30.

H.B. 1289, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report, and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA, TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC., with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Barbee and Hightower:

H.B. 1372, A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A CORRECTIONAL FACILITY, is referred to the Committee on Local and Regional Government II.

By Representatives Gray, Brawley, H. Hunter, McMahan, Mercer, G. Miller, Owens, Russell, Thompson, and Wilkins:

H.B. 1373, A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC INCENTIVES FOR NORTH CAROLINA BUSINESS, is referred to the Committee on Finance.

By Representatives Yongue, Adams, Culp, Hunt, H. Hunter, G. Miller, and Mitchell:

H.B. 1374, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR THE BUSINESS DEVELOPMENT PROGRAM, is referred to the Committee on Appropriations.

By Representative Hill:

H.B. 1375, A BILL TO BE ENTITLED AN ACT RELATING TO COLUMBUS COUNTY AND THE MUNICIPALITIES THEREIN, is referred to the Committee on Local and Regional Government I.

By Representative Edwards:

H.B. 1376, A BILL TO BE ENTITLED AN ACT TO REMOVE THE BAG LIMITS ON THE TRAPPING OF RACCOONS IN BEAUFORT AND HYDE COUNTIES, is referred to the Committee on Local and Regional Government II.

By Representative Aldridge:

H.J.R. 1377, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Baker:

H.B. 1378, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN, is referred to the Committee on Local and Regional Government I.

By Representatives Mitchell and Brawley:

H.B. 1379, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives Reynolds, Allred, and K. Miller:

H.B. 1380, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA, TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC., is referred to the Committee on Local and Regional Government II.

By Representatives Locke, Crawford, Fox, Hensley, Sutton, and Wilkins:

H.B. 1381, A BILL TO BE ENTITLED AN ACT TO AMEND THE DESIGNATION OF THE HALIWA-SAPONI INDIAN TRIBE, is referred to the Committee on Local and Regional Government I.

By Representatives Locke, Crawford, H. Hunter, Rogers, and Wilkins:

H.B. 1382, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF WELDON FOR A NEW BOATING SLIP AND HARBOR, is referred to the Committee on Appropriations.

By Representative Hill:

H.B. 1383, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CERRO GORDO TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO EUGENE GREEN, is referred to the Committee on Local and Regional Government I.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for **S.B. 1139**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER

TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO MAKE AN APPROPRIATION, is read the first time and referred to the Committee on Appropriations.

S.B. 1150, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING SETOFFS WITH THE LAW GOVERNING THE RECOVERY OF PREMIUMS OWED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is read the first time and referred to the Committee on Insurance.

S.B. 1179, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT IN CONNECTION WITH OPERATION JOINT ENDEAVOR, is read the first time and referred to the Committee on Finance.

S.B. 1180, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO ACCOUNT FOR 911 SURCHARGES IN THEIR ANNUAL FINANCIAL STATEMENTS, is read the first time and referred to the Committee on Finance.

S.B. 1201, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LUMBERTON FIREMEN'S SUPPLEMENTARY PENSION FUND TO INCREASE THE MONTHLY BENEFITS TO ITS MEMBERS, is read the first time and referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

H.B. 1230, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF MAGGIE VALLEY DEALING WITH LAND-USE POWERS AND TO REFLECT THAT THE TOWN HAS ADOPTED THE MANAGER FORM OF GOVERNMENT.

On motion of Representative Beall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no

objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Dickson, **H.B. 1179**, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, is withdrawn from the Calendar and re-referred to the Committee on Finance.

On motion of Representative Nichols, House Committee Substitute No. 3 for **S.B. 332**, A BILL TO BE ENTITLED AN ACT TO ALLOW LENDERS TO COLLECT FEES, INTEREST, AND CHARGES FOR CERTAIN LOANS AND EXTENSIONS OF CREDIT IN AMOUNTS AGREED UPON BY THE PARTIES, WITH NO STATUTORY MAXIMUM LIMIT, AND TO AUTHORIZE COMPUTATION OF REBATES BY THE SIMPLE INTEREST METHOD ON CONTRACTS GOVERNED BY THE RETAIL INSTALLMENT SALES ACT, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Fox, the House adjourns at 1:51 p.m. to reconvene May 30 at 1:00 p.m.

ONE HUNDRED TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES

Thursday, May 30, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, be lifted up, honored and praised in our hearts

today. Thank You for the health and strength that we have just to be here, and give healing to those who are not well. Public prayer can be good, Father. It gives each of us opportunity to refocus, to check our priorities, and to shift some of the baggage that we all carry Your way. Your Word teaches us, 'to bear one another's burdens...'. (Galatians 6:2) And, I guess that praying is a good place to begin. But public prayer is kinda like getting someone to scratch your back. They seem to scratch everywhere except where the itch is. And so, Father, unless You guide, I won't say a thing worthwhile, nor hit the need in any life. But, the one thing I do know for sure is that we all need You, and whether we admit it or not can't do anything worthwhile without Your blessing. Since government is ordained by You for the good of the people (Romans 13:1), please guide us in all our deliberations, that only those bills that are for the good of the people may become law, and those that will not stand the scrutiny of Your law fail. Cleanse our lives of resentment, jealousy, and hate. Bind up and heal hurting relationships. Bless our desk mates and the hidden pain he or she might be carrying in their heart. Let none of us camp by our failures, but be reminded that You are a Father who loves His prodigal children. Help us to remember again that we may ignore You, but that we can never avoid You. Recall to our minds, too, that although You give to each of us the freedom to choose that the consequence of our choice is pre-determined. That sophistication nor crudeness makes for righteousness, nor does social acceptance define truth. And now, Father, please take this moment of scratching, and by Your hand guide it in every life to where the itch is. And, help us to fulfill as unto You our responsibilities as those elected to serve. Through Christ our Lord. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 29 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-3).

Leaves of absence are granted Representatives Esposito, Gardner, Gray, Howard, Ives, McMahan, Watson, and Wilkins for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 1140, AN ACT TO AUTHORIZE THE TOWN OF BATTLEBORO TO SCHEDULE AN ADVISORY REFERENDUM ON ITS MERGER INTO THE CITY OF ROCKY MOUNT. (CHAPTER 549)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION OF THE MEMBERS OF THE PROPERTY TAX COMMISSION AND TO PROVIDE FOR REGIONAL HEARINGS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

H.B. 1147, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 1144, A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL AND TO ENUMERATE ITS DUTIES, with a favorable report and recommendation that the bill be re-referred to the

Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1220, A BILL TO BE ENTITLED AN ACT TO ESTABLISH QUALIFICATIONS FOR THE POSITIONS OF STATE PERSONNEL DIRECTOR AND HUMAN RESOURCES DIRECTORS OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative G. Robinson for the Committee on Business and Labor:

H.B. 1163, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIENS ON REAL PROPERTY FOR THE FURNISHING OF RENTAL EQUIPMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

H.B. 1164, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LIEN RIGHTS FOR PERSONS WHO FABRICATE DIES, MOLDS, FORMS, OR PATTERNS AND WHO FABRICATE PRODUCTS FROM DIES, MOLDS, FORMS, OR PATTERNS, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be referred to the Committee on Judiciary I.

The committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1157, A BILL TO BE ENTITLED AN ACT TO CODIFY THE STATE BOARD OF ELECTIONS' RULING CONCERNING CONTRIBUTIONS TO STATE CAMPAIGNS BY FEDERAL COMMITTEES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1162, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF INELIGIBLE VOTER'S TESTIMONY ABOUT HOW THE VOTE WAS CAST; TO GIVE THE PERSON PROTESTING THE ELECTION THE RIGHT TO CALL FOR A NEW ELECTION WHEN THE NUMBER OF INELIGIBLE VOTERS EXCEEDS THE MARGIN OF VICTORY; AND TO MAKE RELATED CHANGES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1203, A BILL TO BE ENTITLED AN ACT TO ALLOW THE APPOINTMENT IN CERTAIN CIRCUMSTANCES OF PRECINCT OFFICIALS AND BALLOT COUNTERS FOR A PRECINCT WHO ARE NOT REGISTERED TO VOTE IN THAT PRECINCT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1185, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR MEMBERS OF THE BOARD OF COMMISSIONERS OF THE TOWN OF LUMBER BRIDGE AND PROVIDE A FOUR-YEAR TERM FOR THE MAYOR, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 3. The original bill is placed on the Unfavorable Calendar.

H.B. 1370, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Church, Ranking Minority Member, for the Committee on Financial Institutions:

H.B. 1189, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE LEGISLATIVE RESEARCH COMMISSION'S FINANCIAL INSTITUTIONS ISSUES COMMITTEE TO AUTHORIZE STATE-CHARTERED BANKS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO OBSERVE HOLIDAYS AS DETERMINED BY THEIR BOARDS OF DIRECTORS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1190, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE LEGISLATIVE RESEARCH COMMISSION'S FINANCIAL INSTITUTIONS ISSUES COMMITTEE TO AMEND THE NORTH CAROLINA RECIPROCAL INTERSTATE BANKING ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 470**, A BILL TO BE ENTITLED AN ACT TO CREATE THE GOOD FUNDS SETTLEMENT ACT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 1010, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE RESPIRATORY CARE PRACTICE ACT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

H.B. 1076, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE FISHERY RESOURCE GRANT PROGRAM IN THE NORTH CAROLINA SEA GRANT COLLEGE PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA, with a favorable report as to committee substitute

bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 1350, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUED SOLVENCY OF THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND TO MAKE OTHER CHANGES TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1351, A BILL TO BE ENTITLED AN ACT TO CREATE THE WELL CONTRACTORS AND PUMP CONTRACTORS CERTIFICATION COMMISSION, TO AMEND THE WELL DRILLERS AND PUMP INSTALLERS REGISTRATION REQUIREMENTS, AND TO MAKE VARIOUS AMENDMENTS TO THE WELL CONSTRUCTION ACT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 1171, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS AND TO CHANGE THE COMPOSITION, APPOINTMENTS, AND TERMS OF VARIOUS BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN STATE GOVERNMENT, with a favorable report as to committee substitute bill, unfavorable to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Redwine and Hill:

H.B. 1384, A BILL TO BE ENTITLED AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF CALABASH AND TO ALLOW EXCEPTIONS TO THE HEIGHT LIMIT UPON APPROVAL BY REFERENDUM, is referred to the Committee on Local and Regional Government I.

By Representatives Redwine, Hill, and Wright:

H.B. 1385, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM TWO YEARS TO FOUR YEARS, is referred to the Committee on Local and Regional Government I.

By Representative Culp:

H.B. 1386, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW ASSISTANT COUNTY FOREST RANGER POSITION IN RANDOLPH COUNTY, is referred to the Committee on Appropriations.

By Representative Brawley:

H.B. 1387, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FUEL TAX ON GASOLINE USED IN BOATS AT LAKE NORMAN SHALL BE DISTRIBUTED ANNUALLY TO THE LAKE NORMAN MARINE COMMISSION FOR WATER SAFETY PROGRAMS ON LAKE NORMAN, is referred to the Committee on Appropriations.

By Representatives Fitch, Arnold, and Tolson:

H.B. 1388, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE CITY OF WILSON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is referred to the Committee on Appropriations.

By Representatives Pate and Braswell:

H.B. 1389, A BILL TO BE ENTITLED AN ACT REGARDING NOTICE OF INTENT TO FILE CONDEMNATION BY THE TOWN OF MOUNT OLIVE, is referred to the Committee on Local and Regional Government I.

By Representatives Pate and Braswell:

H.B. 1390, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representative Shaw:

H.B. 1391, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR REPAIR AND RENOVATIONS AT NORTH CAROLINA CENTRAL UNIVERSITY, NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, AND FAYETTEVILLE STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representative Nye:

H.B. 1392, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE "TOUCHING THE LIVES OF FAMILIES" PROGRAM, is referred to the Committee on Appropriations.

By Representatives Sexton and Reynolds:

H.B. 1393, A BILL TO BE ENTITLED AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE FILING DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY CONSOLIDATED BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives Beall and Ramsey:

H.B. 1394, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF GRAHAM TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representative Nichols:

H.B. 1395, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR INITIATIVE, REFERENDUM, AND RECALL IN THE TOWN OF RIVER BEND, is referred to the Committee on Local and Regional Government I.

By Representatives Redwine and Hill:

H.B. 1396, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE LAW REQUIRING THE REGISTER OF DEEDS TO COMPLY WITH MINIMUM INDEXING STANDARDS FOR LAND RECORDS MANAGEMENT IN BRUNSWICK COUNTY, is referred to the Committee on Local and Regional Government I.

By Representative Hill:

H.B. 1397, A BILL TO BE ENTITLED AN ACT AUTHORIZING COLUMBUS COUNTY TO ENTER INTO LEASES FOR TERMS NOT LONGER THAN TWENTY YEARS, is referred to the Committee on Local and Regional Government I.

By Representatives G. Miller, Luebke, and Michaux:

H.B. 1398, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW EXHIBIT AT THE NORTH CAROLINA MUSEUM OF LIFE AND SCIENCE, is referred to the Committee on Appropriations.

By Representative Wilkins:

H.B. 1399, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX AND AUTHORIZE CORPORATIONS TO DONATE THE AMOUNT OF THE TAX REDUCTION TO THE STATE SCHOOL TECHNOLOGY FUND FOR IMPROVING STUDENT PERFORMANCE IN THE PUBLIC SCHOOLS THROUGH THE USE OF LEARNING AND INSTRUCTIONAL MANAGEMENT TECHNOLOGIES, is referred to the Committee on Finance.

By Representatives Weatherly, Clary, and Hunt:

H.B. 1400, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK COUNTY, is referred to the

Committee on Local and Regional Government II.

By Representatives Hurley, McAllister, Richardson, Shaw, and Warner:

H.B. 1401, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE REGARDING ZONING HEARINGS, is referred to the Committee on Local and Regional Government II.

By Representatives W. Brown, Adams, Alexander, Beall, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Crawford, Culp, Culpepper, Cunningham, Earle, Easterling, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McCrary, McLaughlin, Mercer, Michaux, G. Miller, K. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Shaw, Sutton, Tolson, Wainwright, Warner, Wilkins, G. Wilson, Womble, and Yongue:

H.B. 1402, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS AND TO REIMBURSE COUNTIES AND CITIES FOR THE RESULTING REVENUE LOSS, is referred to the Committee on Finance.

By Representatives Barnes, Crawford, Hackney, and Wilkins:

H.B. 1403, A BILL TO BE ENTITLED AN ACT ALLOWING PERSON COUNTY TO JOIN ORANGE AND CHATHAM COUNTIES AS THOSE AUTHORIZED TO ESTABLISH BOUNDARIES BY THE USE OF ORTHOPHOTOGRAPHY, is referred to the Committee on Local and Regional Government II.

By Representatives Allred, Aldridge, Arnold, Baker, Beall, J. Brown, Buchanan, Cocklereece, Cummings, Davis, Decker, Hiatt, Justus, McComas, Nichols, Pate, Preston, Pulley, Rayfield, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Watson, Weatherly, and G. Wilson:

H.B. 1404, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS AND TO REIMBURSE COUNTIES AND CITIES FOR THE RESULTING REVENUE LOSS, is referred to the Committee on Finance.

By Representatives Preston and J. Robinson:

H.B. 1405, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE CONSTRUCTION OF THE CORE SOUND WATERFOWL MUSEUM, is referred to the Committee on Appropriations.

By Representatives Preston, Barbee, Barnes, Beall, Brawley, Buchanan, Crawford, Culpepper, Cummings, Dickson, Eddins, Edwards, Fox, Grady, Hackney, Hensley, R. Hunter, Locke, Luebke, G. Miller, Nichols, Nye, Pulley, Ramsey, Rayfield, J. Robinson, Rogers, Russell, Weatherly, and G. Wilson:

H.B. 1406, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO EQUALIZE THE SALARIES OF CERTAIN LAW ENFORCEMENT PERSONNEL OF THE DEPARTMENT, is referred to the Committee on Appropriations.

By Representatives Adams, Boyd-McIntyre, W. Brown, Cunningham, Earle, Easterling, Fitch, H. Hunter, McAllister, Redwine, Shaw, Wainwright, Womble, and Wright:

H.B. 1407, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PLANNING AND DESIGNING A NEW CLASSROOM BUILDING AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Adams, Blue, Boyd-McIntyre, Cunningham, Easterling, Gamble, Hensley, R. Hunter, Luebke, McAllister, G. Miller, Redwine, Wainwright, and Womble:

H.J.R. 1408, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO RAISE THE STATE MINIMUM WAGE IN ORDER TO INDEX IT TO INFLATION SINCE IT WAS LAST RAISED, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Adams, Boyd-McIntyre, Easterling, McAllister, Redwine, Shaw, Wainwright, and Womble:

H.B. 1409, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representative Edwards:

H.J.R. 1410, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PELEG DAMERON MIDGETT, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cocklereece and Wood:

H.B. 1411, A BILL TO BE ENTITLED AN ACT TO PROHIBIT AN EXHIBITION FEATURING A DOGFIGHT, is referred to the Committee on Judiciary II.

By Representatives Preston and J. Robinson:

H.B. 1412, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

By Representatives McMahan, Alexander, Black, Cunningham, Dickson, Earle, Easterling, Lemmond, McLaughlin, Rayfield, and C. Wilson:

H.B. 1413, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR A MAGNET TECHNICAL HIGH SCHOOL FOR USE BY ITS COUNTY BOARD OF EDUCATION, is referred to the Committee on Local and Regional Government II.

By Representatives McMahan, Alexander, Black, Cunningham, Dickson, Earle, Easterling, Lemmond, McLaughlin, Rayfield, and C. Wilson:

H.B. 1414, A BILL TO BE ENTITLED AN ACT RELATING TO THE CHARLOTTE CIVIL SERVICE BOARD, is referred to the Committee on Local and Regional Government II.

By Representative Capps:

H.B. 1415, A BILL TO BE ENTITLED AN ACT TO ALLOW CANDIDATES FOR COUNTY AND MUNICIPAL OFFICE IN WAKE COUNTY TO WITHDRAW UP TO THREE DAYS AFTER THE FILING DEADLINE, is referred to the Committee on Local and Regional

Government II and, if favorable, to the Committee on Judiciary II.

By Representatives Warner, Adams, and McAllister:

H.B. 1416, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, FOREST RESOURCES DIVISION, FOR A FORESTRY HEADQUARTERS IN THE CITY OF FAYETTEVILLE, is referred to the Committee on Appropriations.

By Representative Bowie:

H.B. 1417, A BILL TO BE ENTITLED AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY, is referred to the Committee on Local and Regional Government II.

By Representative Nichols:

H.J.R. 1418, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CONSOLIDATION OF HUMAN SERVICES BY COUNTIES, TO MAKE PROVISIONS RELATIVE TO THE STATE AND FEDERAL FUNDING STREAMS FOR CONSOLIDATED HUMAN SERVICES FUNCTIONS, TO PROVIDE THAT THE MEMBERSHIP OF A CONSOLIDATED HUMAN SERVICES BOARD SHALL BE APPOINTED SOLELY BY THE BOARD OF COUNTY COMMISSIONERS, AND TO CHANGE THE STATUS OF COUNTY EMPLOYEES OF A CONSOLIDATED HUMAN SERVICES AGENCY WITH REGARD TO THEIR COVERAGE UNDER THE STATE PERSONNEL ACT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Watson:

H.B. 1419, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LOCAL ALCOHOL BEVERAGE CONTROL BOARD AUDITS FROM QUARTERLY TO ANNUAL TO CONFORM TO THE GENERAL STATUTES, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary I.

By Representative Watson:

H.B. 1420, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR

THE ISSUANCE OF ALCOHOLIC BEVERAGE CONTROL PERMITS IN INTERCHANGE DEVELOPMENT DISTRICTS, is referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Judiciary I.

By Representatives Hiatt, Baker, and G. Wilson:

H.B. 1421, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE BOARD OF EDUCATION OF THE MOUNT AIRY CITY SCHOOL ADMINISTRATIVE UNIT, is referred to the Committee on Local and Regional Government II.

By Representative Creech:

H.B. 1422, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, is referred to the Committee on Local and Regional Government I.

By Representatives Cunningham, Alexander, Black, Earle, Easterling, Lemmond, McLaughlin, McMahan, and Rayfield:

H.B. 1423, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE EMERGENCY AND PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG COUNTY, is referred to the Committee on Pensions and Retirement.

By Representative Allred:

H.B. 1424, A BILL TO BE ENTITLED AN ACT TO ADD CASWELL AND PERSON COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, is referred to the Committee on Local and Regional Government II.

CALENDAR

Action is taken on the following:

H.B. 1081, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP, QUALIFICATIONS FOR APPOINTMENT, AND TERMS OF THE TRUSTEES FOR ALBEMARLE HOSPITAL IN PASQUOTANK COUNTY, passes its second reading and there being no objection is read a

third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1112, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF MAXTON TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE TO THE HISTORIC PRESERVATION FOUNDATION OF NORTH CAROLINA, INC., A NONPROFIT CORPORATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO ALLOW ONE-STOP BALLOTS TO BE DIRECTLY INSERTED IN OPTICAL SCAN TABULATORS IN WAKE COUNTY AS IF THE BALLOTS WERE BEING VOTED AT THE PRECINCT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1133, A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT IN PASQUOTANK COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1215, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ROCKINGHAM BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1279, A BILL TO BE ENTITLED AN ACT CONCERNING THE

MANNER OF SELECTING THE MAYOR PRO TEMPORE OF THE TOWN OF MOUNT HOLLY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 1151, A BILL TO BE ENTITLED AN ACT TO LESSEN THE REQUIREMENT OF INSURANCE COMPANIES TO MAINTAIN TRUST ACCOUNTS OR OBTAIN LETTERS OF CREDIT OR GUARANTY BONDS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is read the first time and referred to the Committee on Insurance.

S.B. 1161, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT AND MONITOR THE PLAN FOR THE TRANSFER OF CREDITS BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION, is read the first time and referred to the Committee on Education.

Committee Substitute for **S.B. 1165**, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO REMOVE VEHICLE REGISTRATION TAX BLOCK UPON FULL PAYMENT OF PROPERTY TAXES, is read the first time and referred to the Committee on Finance.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 294**, A BILL TO BE ENTITLED AN ACT TO LIMIT THE ISSUANCE AND RENEWAL OF BARBER CERTIFICATES, PERMITS, AND LICENSES, TO ESTABLISH LATE FEES FOR EXPIRED CERTIFICATES, TO MAKE CERTAIN REVISIONS TO THE LAW GOVERNING THE BOARD OF BARBER EXAMINERS AND THE SANITARY RULES, AND TO MAKE CONFORMING CHANGES TO THE COSMETIC ART ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Edwards, Ellis, Fitch, Fox, Gamble, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Hunt, R. Hunter, Hurley, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representative Eddins.

Excused absences: Representatives Esposito, Gardner, Gray, Howard, Ives, McMahan, G. Robinson, Watson, and Wilkins - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1119, A BILL TO BE ENTITLED AN ACT TO DELETE THE REQUIREMENT THAT A COMPANY ADD BACK TO ITS NET WORTH FRANCHISE TAX BASE THE AMOUNT OF ITS LOANS THAT ARE PAYABLE TO AN UNRELATED COMPANY BUT ARE ENDORSED OR GUARANTEED BY A RELATED COMPANY, AS RECOMMENDED BY THE DEPARTMENT OF REVENUE, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1173, A BILL TO BE ENTITLED AN ACT TO ALLOW PRECINCT ASSISTANTS TO WORK SPLIT SHIFTS, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1394, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MARRIAGES CONTRACTED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID IN VARIOUS COUNTIES, which passed the Senate by a two-thirds majority vote as required by Resolution 15 of the Session Laws of the 1995 General Assembly.

The bill is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORT OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Wood for the Committee on Education:

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO DIRECT THE STATE BOARD OF EDUCATION AND THE LOCAL GOVERNMENT COMMISSION TO MODIFY THEIR ACCOUNTING AND REPORTING SYSTEMS TO ALLOW TRACKING OF LOCAL EXPENDITURES IN SCHOOLS' CAPITAL OUTLAY FUNDS, TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A UNIFORM SYSTEM FOR SCHOOLS TO DEVELOP FIVE-YEAR CAPITAL NEEDS PLANS, AND TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

On motion of Representative Morgan, seconded by Representative Black, the House adjourns at 1:51 p.m. to reconvene Monday, June 3, 1996, at 6:30 p.m.

ONE HUNDRED TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Monday, June 3, 1996

The House meets at 6:30 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You for this weekend at home, moments on the porch with my dogs calm beside my chair. The mature serene beauty of my wife enhancing the blush of her rose garden. The darting neon flashes at the hummingbird feeder. The fresh sweet beauty of my niece as I joined her and her smitten groom in marriage. Fear and the world seemed far away. Father, Your Word says, 'That You have not given us the spirit of fear, but of power, and of love, and of a sound mind'. (II Timothy 1:7) To work, to live, to serve as Representatives here in the House, we need this freedom from fear, this power of sustaining grace, and this love and peace of mind. Lord, help me to face life head-on, calmly, and without fear as Granddad did; like the first time that he and Grandmother saw an automobile. There was a time when there weren't any. It was at night; those flaming carbide lamps, like the eyes of a monster bouncing down the lane toward the house, looked like any apparition the imagination might contrive. Grandmother panicked into hysteria. Granddad calmly said, 'Ma, run and hide in the cellar! If it's the Lord, I'll come and get you, but if it's the devil, I won't tell him where you are'. Father, give us the calmness of Granddad as we debate and discuss these bills this week. Bless our Speaker, and these Pages who are with us. Be with all the staff who make up this legislative team. And, may our faith in You reward all who believe with this power, this love, this peace, and this clarity of mind. Through Christ our Lord I pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of May 30 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-2).

Leaves of absence are granted Representatives Church, Dockham, Earle, McAllister, McCrary, K. Miller, and G. Robinson for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

A petition in support of **H.B. 624, A BILL TO BE ENTITLED AN ACT**

TO REQUIRE A TWENTY-FOUR HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE ABORTION MAY BE PERFORMED, TO REQUIRE PHYSICIANS TO INFORM WOMEN OF MEDICAL RISKS, GESTATIONAL AGE, THE NAME OF THE PHYSICIAN PERFORMING THE ABORTION, AND CERTAIN OTHER INFORMATION, AND TO REQUIRE CERTAIN PRINTED MATERIALS AND REPORTS, is read. It is noted that the petition is on file in the Office of the Principal Clerk.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 843, AN ACT TO REVISE THE STATUTES REGARDING ANTITRUST LAW TO ENSURE THAT THESE PROVISIONS ARE INTERNALLY CONSISTENT AND CONSISTENT WITH FEDERAL ANTITRUST LAWS. (CHAPTER 550)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Dickson for the Committee on Public Utilities:

H.B. 1233, A BILL TO BE ENTITLED AN ACT TO ENACT THE OVERHEAD HIGH-VOLTAGE LINE SAFETY ACT AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 4.

By Representatives Howard and Berry, Co-Chairs, for the Committee on Welfare Reform and Human Resources:

H.B. 1291, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM TO CORRECT THE LAW REGARDING THE FOOD STAMP FELONY FRAUD THRESHOLD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 4.

By Representative Neely for the Committee on Judiciary II:

H.B. 1280, A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS TO THE STATUTES ESTABLISHING LIENS ON INSURANCE PROCEEDS TO SECURE CHILD SUPPORT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1298, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES IN THE TOWN OF CHAPEL HILL AND ITS EXTRATERRITORIAL PLANNING JURISDICTION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **S.B. 359,** A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY OFFENSE TO IMPERSONATE A LAW ENFORCEMENT OFFICER BY UNLAWFULLY OPERATING A MOTOR VEHICLE WITH AN OPERATING BLUE OR RED LIGHT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Daughtry for the Committee on Judiciary I:

S.B. 33, A BILL TO BE ENTITLED AN ACT TO GIVE THE DISTRICT COURT CONCURRENT JURISDICTION WITH THE SUPERIOR COURT TO ACCEPT A PLEA OF GUILTY OR NO CONTEST TO A CLASS F, G, H, OR I FELONY WITH THE CONSENT OF THE PRESIDING DISTRICT COURT JUDGE, THE STATE AND THE DEFENDANT, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 1105, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO CLARIFY THAT THE STATE BOARD OF EDUCATION IS TO ESTABLISH SCHOOL FACILITIES GUIDELINES, TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH A CENTRAL CLEARINGHOUSE FOR PROTOTYPE DESIGNS OF SCHOOL FACILITIES, TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH THE SCHOOL FACILITIES TASK FORCE, AND TO MAKE AN APPROPRIATION TO IMPLEMENT THIS ACT, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Boyd-McIntyre and Sharpe:

H.J.R. 1425, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GOVERNOR JOHN MOTLEY MOREHEAD ON THE TWO HUNDREDTH ANNIVERSARY OF HIS BIRTH, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Carpenter, Arnold, Barbee, Capps, Clary, Cocklereece, Crawford, Culp, Davis, Eddins, Kiser, Lemmond, McMahan, K. Miller, Rayfield, Reynolds, J. Robinson, Sexton, Sharpe, and G. Wilson:

H.B. 1426, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FEE FOR INVENTORY OF SAFE DEPOSITS OF A DECEDENT, is referred to the Committee on Finance.

By Representative Watson:

H.B. 1427, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE AGRICULTURAL FINANCE AUTHORITY FOR THE RESERVE FOR FARM LOANS, is referred to the Committee on Appropriations.

By Representatives Cansler, Aldridge, Arnold, Barbee, Berry, Brawley, J. Brown, Capps, Carpenter, Clary, Cocklereece, Creech, Eddins, Edwards, Esposito, Hayes, Hightower, Hill, Howard, Hurley, Ives, McComas, McMahan, Neely, Nichols, Rayfield, Reynolds, Russell, Sexton, Sharpe, Sherrill, Shubert, and C. Wilson:

H.B. 1428, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND REDUCE INHERITANCE TAXES AND REPEAL GIFT TAXES, is referred to the Committee on Finance.

By Representative C. Wilson:

H.B. 1429, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FINANCING OF A NEW STATE ADMINISTRATIVE OFFICE BUILDING TO BE USED BY THE WILDLIFE RESOURCES COMMISSION BY THE INCURRENCE OF NOT IN EXCESS OF FIVE MILLION TWO HUNDRED THOUSAND DOLLARS OF FINANCING CONTRACT INDEBTEDNESS; AND AMENDING CERTAIN GENERAL LAWS, is referred to the Committee on Finance.

By Representative Ellis:

H.B. 1430, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FROM THE HIGHWAY TRUST FUND FOR AN AUTHORIZED PURPOSE, is referred to the Committee on Appropriations.

By Representatives Rayfield and Dickson:

H.B. 1431, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES AT THE CENTER FOR APPLIED TEXTILE TECHNOLOGY, is referred to the Committee on Appropriations.

By Representatives Hunt and G. Miller:

H.B. 1432, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR THE EXPANSION OF THE INTERDISCIPLINARY DIABETES PROGRAM AT THE SCHOOL OF MEDICINE AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is referred to the Committee on Appropriations.

By Representatives Berry, Cansler, Creech, Cummings, Gardner, Linney, Rayfield, and Sharpe:

H.B. 1433, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INVESTMENT TAX CREDIT FOR INVESTMENTS IN BUSINESS PROPERTY, is referred to the Committee on Finance.

By Representative Aldridge:

H.B. 1434, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY PROPOSALS TO SHIFT RESPONSIBILITY FOR ASSISTANCE TO THE ECONOMICALLY DISADVANTAGED FROM GOVERNMENT TO PRIVATE CHARITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Aldridge:

H.B. 1435, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM INDIVIDUAL INCOME TAX INDIVIDUALS WHO WORK FULL TIME AT MINIMUM WAGE, is referred to the Committee on Finance.

By Representatives Morgan and Cummings:

H.B. 1436, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justus and Thompson:

H.B. 1437, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FINANCING OF CAPITAL IMPROVEMENTS AT CORRECTION ENTERPRISES FACILITIES, is referred to the Committee on Finance.

By Representatives Justus, Cummings, Hurley, McMahan, and Rayfield:

H.B. 1438, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES A TAX CREDIT IN FIVE INSTALLMENTS TO

REIMBURSE THEM FOR NORTH CAROLINA INCOME TAX THEY PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, is referred to the Committee on Finance.

By Representatives Shubert and Cummings:

H.B. 1439, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILD CARE FOR LOW-INCOME WORKING FAMILIES, is referred to the Committee on Appropriations.

By Representatives Shubert and Cummings:

H.B. 1440, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PUBLIC SCHOOL REGISTRATION PLATES AND TO PROVIDE FOR THE DISTRIBUTION OF THE PROCEEDS OF THE SALES OF THESE PLATES, is referred to the Committee on Finance.

By Representative Arnold:

H.J.R. 1441, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION SUPPORTING THE AMERICAN FEDERATION OF TEACHERS' CAMPAIGN FOR A BILL OF RIGHTS AND RESPONSIBILITIES FOR LEARNING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hunt, Beall, Bowen, J. Brown, Buchanan, Crawford, Culpepper, Hightower, Hurley, Lee, McLaughlin, Ramsey, Sutton, Tolson, and Yongue:

H.B. 1442, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR RENOVATION OF THE L. R. HARRILL YOUTH CENTER AT THE STATE FAIRGROUNDS, is referred to the Committee on Appropriations.

By Representatives R. Hunter, Beall, Black, Church, Crawford, Culpepper, Hightower, Hill, Hunt, Hurley, Lee, McCrary, Ramsey, Redwine, Rogers, Sutton, Wainwright, and Warner:

H.B. 1443, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF CORRECTION FROM USING APPROPRIATED FUNDS TO PURCHASE EXERCISE EQUIPMENT FOR USE BY

PRISONERS, TO PROHIBIT THE DEPARTMENT FROM OTHERWISE PROVIDING OR PERMITTING SUCH EQUIPMENT IN ANY OF ITS FACILITIES AND TO REQUIRE THAT THE DEPARTMENT DISPOSE OF EXISTING EQUIPMENT, is referred to the Committee on Appropriations.

By Representative Mercer:

H.B. 1444, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FARMVILLE PUBLIC LIBRARY FOR CAPITAL EXPENSES, is referred to the Committee on Appropriations.

By Representatives Miner, Cansler, McMahan, Pulley, and Russell:

H.B. 1445, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE VALUE OF CERTAIN INVENTORIES IS DEDUCTIBLE IN CALCULATING A CORPORATION'S INVESTMENT IN TANGIBLE PROPERTY IN NORTH CAROLINA FOR FRANCHISE TAX PURPOSES, is referred to the Committee on Finance.

By Representatives Shaw and Hurley:

H.B. 1446, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENT PROJECT AT FAYETTEVILLE STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representative Shaw:

H.B. 1447, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF ADMINISTRATION TO SET BUSINESS SIZE STANDARDS AND APPLY THEM TO THE PROCUREMENT PROCEDURES TO PROMOTE INCREASED PROCUREMENTS FROM SMALL AND MEDIUM-SIZED BUSINESSES, is referred to the Committee on State Government.

By Representatives McComas, Culp, Eddins, Hill, Hurley, Nichols, Nye, Pulley, Redwine, J. Robinson, Sexton, Sharpe, Wright, and Yongue:

H.B. 1448, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPE FEAR RIVER PROGRAM, is referred to the Committee on Appropriations.

By Representatives Allred and Reynolds:

H.J.R. 1449, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT MAKING IT EASIER FOR CHILDREN TO ATTEND PUBLIC SCHOOLS ACROSS DISTRICT LINES BETWEEN THE ALAMANCE COUNTY SCHOOL ADMINISTRATIVE UNIT AND ADJOINING SCHOOL UNITS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Boyd-McIntyre:

H.B. 1450, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RENOVATION AT THE CHARLOTTE HAWKINS BROWN MEMORIAL STATE HISTORIC SITE, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 1116, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WHO ARE UNABLE TO GO TO THE POLLS BECAUSE OF OBSERVANCE OF A RELIGIOUS HOLIDAY TO CAST AN ABSENTEE BALLOT, is read the first time and referred to the Committee on Judiciary II.

S.B. 1123, A BILL TO BE ENTITLED AN ACT TO MAKE CORRECTIONS IN THE 1994 LEGISLATION DESIGNED TO BRING NORTH CAROLINA INTO COMPLIANCE WITH THE NATIONAL VOTER REGISTRATION ACT, is read the first time and referred to the Committee on Judiciary II.

INTRODUCTION OF PAGES

Pages for the week of June 3-7 are introduced to the membership. They are: Mary Catherine Accettullo of Randolph; Kimberly Ellen Ball of Forsyth; Garland Andrew Ballard of Craven; Anna Patricia Crissman of Davidson; Taryn Jill Davison of Wake; Ray Ellington of Vance; Ellen Faye Everhart of Rowan; Susan Celestine Gaither of Iredell; Benjamin Nathan Garren of Wake; Kristen Dawn Gilliam of Franklin; Courtney A. Hester of Wake; Laura Beth Holliday of Henderson; Julie Jernigan of Surry; Joseph Wayne King, II of Cleveland; Billie Jo Lynn of Catawba; Matthew Martin of Wayne; Christopher Paul Martin of McDowell; Ashley Nicole Mathews of Bladen; Heidi Vershel

McGuire of Davidson; Mary Elizabeth Mills of Catawba; Eli Olive of Orange; Bo A. Phillips of Davidson; Justin Edward Rash of Davidson; Anna Laura Sizemore of Guilford; Charles J. Thompson, Jr. of Brunswick; Daniel Claybourn Walters, Jr. of Robeson; Su-Anne Ward of Duplin; and Brad Worley of Vance.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1219, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF ALAMANCE AND THE CITIES LOCATED IN THAT COUNTY TO DONATE UNCLAIMED BICYCLES TO CHARITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA, TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC., passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1185**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR MEMBERS OF THE BOARD OF COMMISSIONERS OF THE TOWN OF LUMBER BRIDGE AND PROVIDE A FOUR-YEAR TERM FOR THE MAYOR, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILL FROM CALENDAR

Representative Daughtry moves that Committee Substitute No. 2 for **H.B. 624**, A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE ABORTION MAY BE PERFORMED,

TO REQUIRE PHYSICIANS TO INFORM WOMEN OF MEDICAL RISKS, GESTATIONAL AGE, THE NAME OF THE PHYSICIAN PERFORMING THE ABORTION, AND CERTAIN OTHER INFORMATION, AND TO REQUIRE CERTAIN PRINTED MATERIALS AND REPORTS, be withdrawn from the Calendar and re-referred to the Committee on Appropriations.

Representative Decker inquires of the Chair if the vote on the motion can be taken electronically pursuant to Rule 20(b)(3). The Speaker rules that the vote will be taken on the electronic voting system.

The bill is re-referred to the Committee on Appropriations by electronic vote (81-29).

CALENDAR (continued)

House Committee Substitute No. 2 for S.B. 294, A BILL TO BE ENTITLED AN ACT TO LIMIT THE ISSUANCE AND RENEWAL OF BARBER CERTIFICATES, PERMITS, AND LICENSES, TO ESTABLISH LATE FEES FOR EXPIRED CERTIFICATES, TO MAKE CERTAIN REVISIONS TO THE LAW GOVERNING THE BOARD OF BARBER EXAMINERS AND THE SANITARY RULES, AND TO MAKE CONFORMING CHANGES TO THE COSMETIC ART ACT, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCombs, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Gamble and Shaw - 2.

Excused absences: Representatives Church, Dockham, Earle, McAllister, McCrary, K. Miller, and G. Robinson - 7.

H.B. 1158, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR HOLDING THE CANVASS FOR PRIMARIES AND ELECTIONS ON THE THIRD RATHER THAN THE SECOND DAY AFTER ELECTION DAY.

Representative Cansler offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (112-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1231, A BILL TO BE ENTITLED AN ACT TO INCLUDE THE COUNTIES OF ALLEGHANY, SURRY, AND WATAUGA AMONG THOSE COUNTIES THAT REQUIRE CONSENT OF THE BOARD OF COUNTY COMMISSIONERS BEFORE LAND MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Morgan, seconded by Representative Wainwright, the House adjourns at 7:05 p.m. to reconvene June 4 at 1:00 p.m.

ONE HUNDRED TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES

Tuesday, June 4, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, thank You for the sunrise and for the gift of life for yet another day. Thank You for a safe drive into Raleigh to meet with the fine men and women who make up this House of Representatives. What a privilege to get to know some of them, and to have the opportunity to sit in on these sessions and to hear them debate and to watch strategies unfold, and to be close to this mysterious phenomena called politics. I am a man most blessed, and I thank You. Words come to mind like truth, integrity, honesty, care, concern, trustworthiness, compassion, forthrightness, and words like shrewd, crafty, devious, deceptive, and subterfuge. Speech exercises like rhetoric, hyperbole, and innuendo. Words, sound symbols for values, emotions, situations, actions, and the unknown. That convention You crashed at Babel must have been something, Lord. You must have laughed as You sprinkled all the different languages over that crowd. Well, Father, I had better stop using words myself and let Mr. Brubaker rap that gavel and get on with the work at hand, and I'll listen as these good folks use words to formulate law and regulation for an orderly society where each of us can live, and work, and play, and, hopefully, pray. So, bless and guide them, Lord, for Your sake, their joy, and our blessing. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 3 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (108-0).

Leaves of absence are granted Representatives Daughtry, Fitch, Richardson, G. Robinson, and Sutton for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Linney, Vice Chair, for the Committee on Judiciary I:

Committee Substitute for **H.B. 1163**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIENS ON REAL PROPERTY FOR THE FURNISHING OF RENTAL EQUIPMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 1164**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LIEN RIGHTS FOR PERSONS WHO FABRICATE DIES, MOLDS, FORMS, OR PATTERNS AND WHO

FABRICATE PRODUCTS FROM DIES, MOLDS, FORMS, OR PATTERNS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS PERTAINING TO LICENSED PHYSICIAN REGISTRATION WITH THE NORTH CAROLINA MEDICAL BOARD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1116, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WHO ARE UNABLE TO GO TO THE POLLS BECAUSE OF OBSERVANCE OF A RELIGIOUS HOLIDAY TO CAST AN ABSENTEE BALLOT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Dockham for the Committee on Insurance:

H.B. 1191, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL COVERAGE UNDER THE NORTH CAROLINA BEACH PLAN AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1192, A BILL TO BE ENTITLED AN ACT TO DEVELOP A PROPOSAL FOR A RESERVE FUND TO PAY CATASTROPHIC LOSSES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 5.

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO REVISE THE PARTICIPATION FORMULA OF THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON

INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 5.

H.B. 1201, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INSURERS ARE NOT REQUIRED TO OBTAIN WRITTEN CONSENT TO RATE ON EACH POLICY RENEWAL AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 5. The original bill is placed on the Unfavorable Calendar.

H.B. 1202, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING SMALL EMPLOYER HEALTH BENEFIT PLANS TO 1995 LEGISLATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 5. The original bill is placed on the Unfavorable Calendar.

By Representative Tallent for the Committee on Financial Institutions:

House Committee Substitute for **S.B. 125**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON REVERSE MORTGAGES AND TO CHANGE THE DISCLOSURE REQUIREMENTS FOR REVERSE MORTGAGE LOANS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO ALLOW SWAIN COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO

OBTAIN A LIEN FOR AMBULANCE SERVICES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 5.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1083, A BILL TO BE ENTITLED AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING AGENCY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1147, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright,

and Yongue - 109.

Voting in the negative: Representatives K. Miller and Wood - 2.

Excused absences: Representatives Daughtry, Fitch, Richardson, G. Robinson, and Sutton - 5.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1159, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON DESIGNATION OF EMPLOYMENT SECURITY COMMISSION OFFICES AS VOTER REGISTRATION AGENCIES AND TO PROVIDE FOR FUNDING, passes its second reading by electronic vote (91-22).

Representative Linney objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1220, A BILL TO BE ENTITLED AN ACT TO ESTABLISH QUALIFICATIONS FOR THE POSITIONS OF STATE PERSONNEL DIRECTOR AND HUMAN RESOURCES DIRECTORS OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS, passes its second reading, by electronic vote (70-38), and there being no objection is read a third time.

Representative Boyd-McIntyre states that her voting equipment malfunctioned and requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (71-38).

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1189, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE LEGISLATIVE RESEARCH COMMISSION'S FINANCIAL INSTITUTIONS ISSUES COMMITTEE TO AUTHORIZE STATE-CHARTERED BANKS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO OBSERVE HOLIDAYS AS DETERMINED BY THEIR BOARDS OF DIRECTORS, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1190, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A RECOMMENDATION OF THE LEGISLATIVE RESEARCH COMMISSION'S FINANCIAL INSTITUTIONS ISSUES COMMITTEE TO AMEND THE NORTH CAROLINA RECIPROCAL INTERSTATE BANKING ACT, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1233**, A BILL TO BE ENTITLED AN ACT TO ENACT THE OVERHEAD HIGH-VOLTAGE LINE SAFETY ACT AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE.

On motion of Representative Dickson, the bill is withdrawn from the Calendar and re-referred to the Committee on Judiciary II.

H.B. 1291, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM TO CORRECT THE LAW REGARDING THE FOOD STAMP FELONY FRAUD THRESHOLD, passes its second reading by electronic vote (100-14).

Representative H. Hunter objects to the third reading. The bill remains on the Calendar.

Representative Morgan moves, seconded by Representative Tolson, that the House adjourn, subject to the reading of notices and announcements, to reconvene June 5 at 1:00 p.m. The motion carries.

The House stands adjourned at 2:27 p.m.

ONE HUNDRED TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES

Wednesday, June 5, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to

order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, thank You today for Your love, Your mercy, and for Your forgiveness. We all have sinned and come short of Your glory and need it. You must really love us, Lord, to put up with us the way You do when we spend so much time chasing after stuff that has no eternal substance. Like Isaiah asked, 'Why do you spend your money for that which is not bread and your labor for that which does not satisfy?' (Isaiah 55:2) If we could somehow bag up all our wasted energy and save it for old age, we could all be young again. Lord, I was thinking about old Joe, one of my dogs. He's nuts. He barks at airplanes high up with contrails. When a thunder storm comes, he stands on the porch and barks at the thunder and lightning. He'll try to dig up the reflection of the sun off your wrist watch, or climb the wall of the carport when it reflects off a car window. Rodgers and Hammerstein, trying 'to pin a moonbeam on the sand', had nothing on him. He isn't worth a flip, Lord, but he thinks that he is. I don't know why I keep him, compassion I guess or maybe wondering what he is going to do next, and then, Lord, maybe that is why You put up with me. Bobby Burns said, 'Of all the gifts the Giver gives us, to see ourselves as others see us'.... Father, we are politicians, lawmakers, structural framers of the rails upon which society runs. Please keep us from barking at legislative contrails, or barking at political thunder and lightning, or trying to pin down some flashing light of flattery; but, instead, help us to be the true guardians through law of the homes and families of those who love us and sent us here in the first place, and then help us all to have sense enough to thank You, like old Joe thanks me with his tail, for keeping us here on the farm. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 4 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (85-1).

Leaves of absence are granted Representatives Fox, Justus, and Richardson for today.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 1078, AN ACT TO CLARIFY THE DATE OF THE MORATORIUM STEERING COMMITTEE'S FINAL REPORT AND TO EXTEND THE DATE THAT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE IS REQUIRED TO REPORT. (CHAPTER 551)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Daughtry for the Committee on Judiciary I:

H.B. 1174, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 40A GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES, AND INTRODUCTION OF ANY EVIDENCE OF PROPERTY VALUE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative G. Robinson for the Committee on Business and Labor:

H.B. 1170, A BILL TO BE ENTITLED AN ACT TO ENFORCE ECONOMY IN STATE PRINTING COSTS AND TO PROMOTE OPPORTUNITIES FOR INCREASED PRIVATIZATION OF PRINTING, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1343, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative J. Brown for the Committee on Agriculture:

H.B. 1117, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE

OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

The committee substitute bill is re-referred to the Committee on Judiciary II. The original bill is placed on the Unfavorable Calendar.

By Representative Wood for the Committee on Education:

H.B. 1180, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1198, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UNINSURED AND UNDERINSURED MOTORIST COVERAGE MAY BE LIMITED OR EXCLUDED UNDER EXCESS OR UMBRELLA POLICIES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1306, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1328, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SANFORD GOLF COMMISSION, with a favorable report and

recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1334, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL PAY DATE FOR THE CHEROKEE COUNTY SCHOOLS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1347, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE NATIONAL FORENSICS LEAGUE TOURNAMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1355, A BILL TO BE ENTITLED AN ACT TO EXTEND UP TO TWENTY YEARS THE PERIOD TO REPAY SPECIAL ASSESSMENTS IN THE CITY OF FAYETTEVILLE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1372, A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A CORRECTIONAL FACILITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1379, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION, with a favorable report.

On motion of the Chair, the bill is re-referred to the Committee on Finance.

H.B. 1393, A BILL TO BE ENTITLED AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE FILING

DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY CONSOLIDATED BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1394, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF GRAHAM TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1400, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1401, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE REGARDING ZONING HEARINGS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1417, A BILL TO BE ENTITLED AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1421, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE BOARD OF EDUCATION OF THE MOUNT AIRY CITY SCHOOL ADMINISTRATIVE UNIT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1201, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LUMBERTON FIREMEN'S SUPPLEMENTARY PENSION FUND TO INCREASE THE MONTHLY BENEFITS TO ITS MEMBERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 1113, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE FOR THE OATH OF OFFICE FOR MEMBERS OF THE RICHMOND COUNTY BOARD OF EDUCATION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1117, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO MAKE AMENDMENTS TO THE LAWS GOVERNING THE STANDARDS BOARD FOR PUBLIC SCHOOL ADMINISTRATION AND THE PUBLIC SCHOOL ADMINISTRATOR EXAM, is read the first time and referred to the Committee on Education.

S.B. 1136, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO MAKE PERMANENT THE REQUIREMENT THAT COUNTIES USE PART OF THE TWO HALF-CENT LOCAL SALES TAX PROCEEDS ONLY FOR PUBLIC SCHOOL CAPITAL OUTLAY PURPOSES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1169, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE NATIONAL FORENSICS LEAGUE TOURNAMENT, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 1173**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, is read the first time and referred to the Committee on Education.

S.B. 1190, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXTRATERRITORIAL PLANNING JURISDICTION OF THE TOWN OF WALLACE, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1203, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF BESSEMER CITY TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 1207,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPROVE THE PROGRAM AND SERVICES FOR ACADEMICALLY OR INTELLECTUALLY GIFTED STUDENTS, is read the first time and referred to the Committee on Education.

S.B. 1218, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PENDER COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE TO THE MAPLE HILL CIVIC CLUB, INC., A NONPROFIT CORPORATION, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1243, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF LAKE HICKORY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1244, A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF WALLACE A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1245, A BILL TO BE ENTITLED AN ACT CONCERNING THE DEFINITION OF SUBDIVISION FOR THE TOWN OF ROSE HILL, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1246, A BILL TO BE ENTITLED AN ACT TO REPEAL A SECTION OF THE CHARTER OF THE TOWN OF LANDIS RELATING TO ABC IN CONFLICT WITH GENERAL LAW, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 1267, A BILL TO BE ENTITLED AN ACT TO ADD NEW HANOVER COUNTY TO THOSE COUNTIES IN WHICH A TENANT'S REFUSAL TO PERFORM A CONTRACT FOR THE RENTAL OF LAND IS GROUNDS FOR DISPOSSESSION, is read the first time and referred to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 1275**, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA, is read the first time and referred to the Committee on Business and Labor.

S.B. 1278, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF JACKSONVILLE TO REQUIRE SIDEWALK IMPROVEMENTS THROUGH THE SITE PLAN REVIEW PROCESS UNDER THE AUTHORITY OF THE CITY ZONING ORDINANCE, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1280, A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT IN WILSON COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1284, A BILL TO BE ENTITLED AN ACT TO MODIFY THE STATE PORTS TAX CREDIT BY EXPANDING IT TO INCLUDE FOREST PRODUCTS, is read the first time and referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H.B. 1147, A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 105.

Voting in the negative: Representatives K. Miller and Wood - 2.

Excused absences: Representatives Fox, Justus, and Richardson - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 1014**, A BILL TO BE ENTITLED AN ACT REQUIRING CRIMINAL HISTORY RECORD CHECKS OF UNLICENSED APPLICANTS FOR EMPLOYMENT IN NURSING HOMES, ADULT CARE HOMES, AND HOME CARE AGENCIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Fox, Justus, and Richardson - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND

TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST.

Representative Shaw offers Amendment No. 1.

Representative Daughtry calls the previous question on the amendment and the call is sustained by electronic vote (97-14).

Representatives Cocklereece and Sharpe requests to be recorded as voting "aye". These requests are granted. The adjusted vote total is (99-12).

Amendment No. 1 is adopted by electronic vote (79-32).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 109.

Voting in the negative: Representatives Allred, Decker, Linney, K. Miller, and Wood - 5.

Excused absences: Representatives Fox and Richardson - 2.

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO ALLOW SWAIN COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 107.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Fox, Richardson, and Womble - 3.

H.B. 1159, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON DESIGNATION OF EMPLOYMENT SECURITY COMMISSION OFFICES AS VOTER REGISTRATION AGENCIES AND TO PROVIDE FOR FUNDING, passes its third reading, by electronic vote (103-6), and is ordered sent to the Senate.

H.B. 1291, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM TO CORRECT THE LAW REGARDING THE FOOD STAMP FELONY FRAUD THRESHOLD, passes its third reading, by electronic vote (98-11), and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1171**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS AND TO CHANGE THE COMPOSITION, APPOINTMENTS, AND TERMS OF VARIOUS BOARDS, COMMISSIONS, AND AUTHORITIES WITHIN STATE GOVERNMENT.

Representative Hackney offers Amendment No. 1 which fails of adoption by electronic vote (47-59).

The bill passes its second reading by electronic vote (66-46).

Representative Black objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1484, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE MEMORY OF JAMES GORDON HANES, JR., FORMER STATE SENATOR AND INDUSTRIALIST, which passed the Senate by a two-thirds majority vote as required by Resolution 15 of the Session Laws of the 1995 General Assembly.

The resolution is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 1228, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE LEGISLATOR, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

H.J.R. 1276, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF GRANVILLE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

S.B. 126, A BILL TO BE ENTITLED AN ACT TO CREATE THE

LONG-TERM CARE SUBCOMMITTEE AND TO PROVIDE FOR THE CREATION OF OTHER SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO MAKE CHANGES TO THE LONG-TERM CARE LAW, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.J.R. 1394, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MARRIAGES CONTRACTED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID, with a favorable report as to House committee substitute joint resolution, which changes the title, unfavorable as to original resolution.

Pursuant to Rule 36(a), the House committee substitute joint resolution is placed on the Calendar. The original resolution is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1082, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF FIVE THOUSAND OR MORE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1084, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF LESS THAN FIVE THOUSAND, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **H.B. 1177**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MERGER OF THE TOWN OF BATTLEBORO INTO THE CITY OF ROCKY MOUNT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1252, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 6.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1357, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ANNEXATION OF THE EDENTON AIRPORT FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN OF EDENTON, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Holmes, pursuant to Rule 39.2 and without objection, **H.B. 1388**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE CITY OF WILSON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Neely, pursuant to Rule 39.2 and without objection, **H.B. 1243**, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW FELONY OFFENSE OF ASSAULT INFLECTING SERIOUS BODILY INJURY AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, is withdrawn from the Committee on Judiciary II and re-referred to the Committee on Judiciary I.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, and without objection, **H.B. 1149**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS PERTAINING TO LICENSED PHYSICIAN REGISTRATION WITH THE NORTH CAROLINA MEDICAL BOARD, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Judiciary II.

REFERRAL

On motion of Representative Morgan, pursuant to Rule 39.2 and without objection, **H.B. 1259**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES REFUNDS, WITHOUT INTEREST, FOR STATE INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Watson, the House adjourns at 3:45 p.m. to reconvene June 6 at 1:00 p.m.

ONE HUNDRED TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES

Thursday, June 6, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Father, that's the name I like to call You. You have a lot of fancy names

like Jehovah, El Shaddai, Elohim, but I like Father the best - I guess because I loved my earthly Father. He taught me a lot about life and work, and loving Your Word. It's a shame that seventy-five percent of the people hate their jobs or so they say. But, I can tell You one thing, the good men and women here in the House love their work; seems like I have said that before, but I listened and watched again yesterday. It was wonderful. Their arguments were superb, their presentations clear and concise, and the ice cream was sweet and good. Work ought not to be such fun. But, You worked too. You said so in Your Word, 'My Father worketh and I work'. (John 5:17) I believe that Heaven will be a place where we can work. We'll rest too, but be able to work, sorta like Mr. Kipling said:

"When the earth's last picture is painted
And the tubes are twisted and dried,
When the oldest colours have faded, and
the youngest critic has died,
We shall rest, and faith, we shall need it--
lie down for an aeon or two,
Till the Master of All Good Workmen,
Shall out us to work anew,
Then those that were good shall be happy:
they shall sit in a golden chair;
They shall splash at a ten-league canvas
with brushes of comet's hair,

They shall find real saints to draw from--
Magdalene, Peter, and Paul;
They shall work for an age at a sitting,
and never be tired at all!

And only the Master shall praise us,
and only the Master shall blame;
And no one shall work for money,
And no one shall work for fame,
But each for the joy of working,
and each in his separate star,
Shall draw the Thing as he sees It,
For the God of Things as They Are."

As we head home this weekend, bless our Speaker and each member of this House. Give us both the time to rest and some restorative work. Thank you for these Pages, and for all the staff who make this place function. And, may all our disappointments be but nurture for our faith, and any real or

imagined failures become a springboard for joy. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 5 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (95-0).

Representative Sexton requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (96-0).

Leaves of absence are granted Representatives Fox, Gray, Nichols, and G. Robinson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 1089, AN ACT TO REMOVE LANGUAGE REQUIRING AN ATTORNEY'S OPINION AND WRITTEN STATEMENT IN APPEALS BY INDIGENTS FROM THE INDUSTRIAL COMMISSION TO THE NORTH CAROLINA COURT OF APPEALS AND TO CLARIFY THE PROCEDURE FOR SUCH INDIGENT APPEALS. (CHAPTER 552)

H.B. 1158, AN ACT TO PROVIDE FOR HOLDING THE CANVASS FOR PRIMARIES AND ELECTIONS ON THE THIRD RATHER THAN THE SECOND DAY AFTER ELECTION DAY. (CHAPTER 553)

H.B. 1173, AN ACT TO ALLOW PRECINCT ASSISTANTS TO WORK SPLIT SHIFTS. (CHAPTER 554)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS PERTAINING TO LICENSED PHYSICIAN REGISTRATION WITH THE NORTH CAROLINA MEDICAL BOARD, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative J. Brown for the Committee on Agriculture:

H.B. 1227, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURAL WASTE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative McCombs for the Committee on Pensions and Retirement:

H.B. 1269, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE EMPLOYEES WHO WORK THIRTY HOURS PER WEEK FOR NINE OR MORE MONTHS PER CALENDAR YEAR ARE ELIGIBLE FOR MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Warner, Ranking Minority Member, for the Committee on Health and Environment:

H.B. 1339, A BILL TO BE ENTITLED AN ACT TO IMPROVE WATER QUALITY BY ESTABLISHING A GOAL TO REDUCE THE AVERAGE LOAD OF NITROGEN DELIVERED TO THE NEUSE RIVER ESTUARY FROM POINT AND NONPOINT SOURCES BY THIRTY PERCENT OF THE AVERAGE ANNUAL LOAD FOR THE PERIOD 1991 THROUGH 1995 BY THE YEAR 2001 AND TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DEVELOP A PLAN TO ACHIEVE THIS GOAL, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original

bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1101, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO MAKE PERMANENT THE REQUIREMENT THAT COUNTIES USE PART OF THE TWO HALF-CENT LOCAL SALES TAX PROCEEDS ONLY FOR PUBLIC SCHOOL CAPITAL OUTLAY PURPOSES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1394, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF GRAHAM TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House.

S.J.R. 1484, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE MEMORY OF JAMES GORDON HANES, JR., FORMER STATE SENATOR AND INDUSTRIALIST, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar for June 10.

By Representative Miner for the Committee on Transportation:

H.B. 1268, A BILL TO BE ENTITLED AN ACT TO EXPEDITE DISPOSAL OF UNCLAIMED VEHICLES BY TOWING AND STORAGE BUSINESSES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the

Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 1447, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF ADMINISTRATION TO SET BUSINESS SIZE STANDARDS AND APPLY THEM TO THE PROCUREMENT PROCEDURES TO PROMOTE INCREASED PROCUREMENTS FROM SMALL AND MEDIUM-SIZED BUSINESSES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1148, A BILL TO BE ENTITLED AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE DECENTRALIZATION OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Dockham for the Committee on Insurance:

S.B. 1150, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING SETOFFS WITH THE LAW GOVERNING THE RECOVERY OF PREMIUMS OWED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1151, A BILL TO BE ENTITLED AN ACT TO LESSEN THE REQUIREMENT OF INSURANCE COMPANIES TO MAINTAIN TRUST ACCOUNTS OR OBTAIN LETTERS OF CREDIT OR GUARANTY BONDS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 1176, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 1178**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO ALLOW THE VOLUNTARY WITHHOLDING OF INCOME TAX FROM UNEMPLOYMENT COMPENSATION PAYMENTS, is read the first time and referred to the Committee on Finance.

S.B. 1286, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE FORESTRY COUNCIL OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND REDEFINE ITS RESPONSIBILITIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Agriculture and, if favorable, to the Committee on Health and Environment.

S.B. 1328, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT PHASE ONE OF THE RESTRUCTURING OF ENVIRONMENTAL PROGRAMS IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL PROCESS ACTION TEAM OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Health and Environment.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1102, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO DIRECT THE STATE BOARD OF EDUCATION AND THE LOCAL GOVERNMENT COMMISSION TO MODIFY THEIR ACCOUNTING AND REPORTING SYSTEMS TO ALLOW TRACKING OF LOCAL EXPENDITURES IN SCHOOLS' CAPITAL OUTLAY FUNDS, TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A UNIFORM SYSTEM FOR SCHOOLS TO DEVELOP FIVE-YEAR CAPITAL NEEDS PLANS, AND TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT.

On motion of Representative Daughtry, Committee Amendment No. 1 is adopted by electronic vote (107-0).

On motion of Representative Arnold, Committee Amendment No. 2 is adopted by electronic vote (105-2).

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1280**, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE STATUTE ESTABLISHING LIENS ON INSURANCE PROCEEDS TO SECURE CHILD SUPPORT AND TO PROVIDE THAT SUCH LIENS ARE SUBORDINATE TO LIENS ARISING UNDER ARTICLE 9 OF CHAPTER 44 OF THE GENERAL STATUTES AND TO OTHER HEALTH CARE PROVIDER CLAIMS, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1192, A BILL TO BE ENTITLED AN ACT TO DEVELOP A PROPOSAL FOR A RESERVE FUND TO PAY CATASTROPHIC LOSSES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO REVISE THE PARTICIPATION FORMULA OF THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1201**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT INSURERS ARE NOT REQUIRED TO OBTAIN WRITTEN CONSENT TO RATE ON EACH POLICY RENEWAL AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1202**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING SMALL EMPLOYER HEALTH BENEFIT PLANS TO 1995 LEGISLATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES AND TO CLARIFY THE APPLICABILITY OF CERTAIN MEDICAL UNDERWRITING PROVISIONS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1252, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM.

Representative Hensley inquires of the Chair if, pursuant to Article VII, Section 1 of the North Carolina Constitution, the incorporation of this town requires a three-fifths affirmative vote. The Speaker states that the bill does require 72 affirmative votes.

Representative Cunningham inquires of the Chair if the bill requires a three-fifths vote in committee and if the bill is properly before the Body. The Speaker rules that the bill is properly before the Body.

Representative Sexton calls the previous question on the passage of the bill and the call is sustained by electronic vote (84-26).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowen, Bowie, Boyd- McIntyre, J. Brown, Buchanan, Cansler, Capps, Carpenter, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McCrary, McMahan, Mercer, K. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Tolson, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 78.

Voting in the negative: Representatives Adams, Alexander, Beall, Black, Blue, Braswell, Brawley, Church, Cunningham, Earle, Easterling, Gamble, Hackney, Hensley, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Lee, Luebke, McAllister, McLaughlin, Michaux, G. Miller, Ramsey, Redwine, Richardson, Sutton, Wainwright, Warner, and Wilkins - 32.

Excused absences: Representatives Clary, Fox, Gray, Hunt, Nichols, and G. Robinson - 6.

House Committee Substitute No. 2 for **S.B. 1014**, A BILL TO BE ENTITLED AN ACT REQUIRING CRIMINAL HISTORY RECORD CHECKS OF UNLICENSED APPLICANTS FOR EMPLOYMENT IN NURSING HOMES, ADULT CARE HOMES, AND HOME CARE AGENCIES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham,

Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 108.

Voting in the negative: None.

Excused absences: Representatives Clary, Fox, Gray, Hunt, G. Miller, Nichols, and G. Robinson - 7.

Committee Substitute for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST.

Representative Daughtry offers Amendment No. 2 which is adopted by electronic vote (107-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee,

Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 108.

Voting in the negative: Representatives Allred, Decker, Linney, and Wood - 4.

Excused absences: Representatives Clary, Fox, Gray, Hunt, G. Miller, Nichols, and G. Robinson - 7.

H.B. 1122, A BILL TO BE ENTITLED AN ACT TO ALLOW SWAIN COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: None.

Excused absences: Representatives Clary, Fox, Gray, Hunt, G. Miller, Nichols, and G. Robinson - 7.

Committee Substitute for **H.B. 1171**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LEGISLATIVE CONFIRMATION OF CERTAIN EXECUTIVE APPOINTMENTS AND TO CHANGE THE COMPOSITION,

APPOINTMENTS, AND TERMS OF VARIOUS BOARDS,
COMMISSIONS, AND AUTHORITIES WITHIN STATE GOVERNMENT.

Representative Howard offers Amendment No. 2 which is adopted by electronic vote (112-0).

The bill, as amended, passes its third reading, by electronic vote (67-44), and is ordered engrossed and sent to the Senate.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committee are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1135, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATUTE WHICH NAMED "NEW ROAD" IN CRAVEN COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1136, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF NEW BERN TO DONATE UNCLAIMED BICYCLES TO CHARITY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1145, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON, with a favorable report.

On motion of the Chair, the bill is re-referred to the Committee on Finance.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARD OF EDUCATION IN CRAVEN COUNTY TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1243, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF LAKE HICKORY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 10.

On motion of Representative Morgan, seconded by Representative Beall, the House adjourns at 2:49 p.m. to reconvene Monday, June 10, 1996, at 4:00 p.m.

ONE HUNDRED TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES

Monday, June 10, 1996

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You for this excursion in time and space called life. Thank You for our weekend at home, and for our safe journey back to this place where we are to work, this place where policy and regulation are heated in the furnace of committee, forged on the anvil of debate, beaten into shape by the hammer of argument, and locked into law by the flick of a switch at our desk. It was good to be home, to cut the grass, see the grandkids ride the horses, swing at that little frustration pill, mend the fence, catch a Blue Gill, curse urban sprawl that kills the land and chops it into postage stamp parcels for grasping hands. Frustration, joy, sadness, accomplishment, pain, life. Fresh eager eyes of the kids in church, old folks warehoused in odious places called "Rest Homes" waiting to die. Alcohol and drug abuse, death on the highway. Corporate litigation in high places and low. A hug and a kiss and it's time once again to go. And now back in Raleigh, eye deep in politics, bills to pass, budget to balance and to forge, election year, what to bring forward, what to hold back. And besides all this these fine young Pages, watching, looking, listening, learning, bless them, Lord. Oh, to be young again! And, can You imagine I'm glad to be here. I wanted to be here,

campaign hard to be here, wanted this experience, maybe even prayed, lost sleep, spent money. Something deep inside compelled me, people urged me, this is where I had to be. Helping in the process, believing that I could do some good for people, folks like me, wanting happiness, fulfillment, destiny. This is life, Lord, my life, their lives. And so, please guide me this week, Father, by Thy powerful and unseen hand that in this excursion, as I live it, that I fail not man nor Thee. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 6 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-2).

Representative R. Hunter requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (89-2).

Leaves of absence are granted Representatives Church, Fitch, Linney, Locke, Miner, G. Robinson, and Wainwright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 1090, AN ACT TO REMOVE THE REQUIREMENT FOR WORKERS' COMPENSATION COVERAGE FOR SUBCONTRACTORS WITH NO EMPLOYEES. (CHAPTER 555)

H.B. 1189, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE LEGISLATIVE RESEARCH COMMISSION'S FINANCIAL INSTITUTIONS ISSUES COMMITTEE TO AUTHORIZE STATE-CHARTERED BANKS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO OBSERVE HOLIDAYS AS DETERMINED BY THEIR BOARDS OF DIRECTORS. (CHAPTER 556)

H.B. 1190, AN ACT TO IMPLEMENT A RECOMMENDATION OF THE LEGISLATIVE RESEARCH COMMISSION'S FINANCIAL INSTITUTIONS ISSUES COMMITTEE TO AMEND THE NORTH CAROLINA RECIPROCAL INTERSTATE BANKING ACT. (CHAPTER 557)

H.B. 1230, AN ACT TO AMEND THE CHARTER OF MAGGIE VALLEY DEALING WITH LAND-USE POWERS AND TO REFLECT THAT THE TOWN HAS ADOPTED THE MANAGER FORM OF GOVERNMENT. (CHAPTER 558)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1118, A BILL TO BE ENTITLED AN ACT TO ALLOW CHEROKEE COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS LOCAL BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1137, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF FUQUAY-VARINA TO REVIEW ANY REQUEST FOR WITHDRAWAL OF DEDICATION OF ANY STREET OR STREET EASEMENT BEFORE ANY DEDICATION CAN BE WITHDRAWN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 11.

H.B. 1254, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HAVELOCK CONCERNING THE POWERS OF THE CITY MANAGER, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 11. The original bill is placed on the Unfavorable Calendar.

H.B. 1313, A BILL TO BE ENTITLED AN ACT TO ALLOW WILSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1314, A BILL TO BE ENTITLED AN ACT TO ALLOW NASH AND WILSON COUNTIES TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1348, A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF WALLACE A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1366, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF WASHINGTON, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of the Chair, the committee report is temporarily displaced.

By Representative Wood for the Committee on Education:

H.B. 1104, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO ESTABLISH THE SCHOOL FACILITIES TRUST FUND TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO REDUCE THE PRESSURE ON THE LOCAL PROPERTY TAX, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The committee substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1413, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR A MAGNET TECHNICAL HIGH SCHOOL FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

SUBCOMMITTEE REFERRALS

Representatives Holmes, Esposito, and Creech, Co-Chairs, for the Standing Committee on Appropriations, refer:

H.B. 1250, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO MAKE AN APPROPRIATION, to the Permanent Subcommittee on Education.

S.B. 1139, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO MAKE AN APPROPRIATION, to the Permanent Subcommittee on Education.

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN ESTABLISHING AND SUPPORTING AN ASSISTANT COUNTY FOREST RANGER IN WILKES COUNTY, to the Permanent Subcommittee on Natural and Economic Resources.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE (continued)

The committee report for **H.B. 1366**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF WASHINGTON, which was temporarily displaced, is before the Body.

On motion of Representative Pate, Committee Amendment No. 1 is adopted by electronic vote (98-0).

The bill is ordered engrossed and re-referred to the Committee on Finance.

INTRODUCTION OF PAGES

Pages for the week of June 10-14 are introduced to the membership. They are: Jordan Leith Aldridge of Pitt; William Page Barnes, III of Wayne; Kevin Arthur Blackwell of Davidson; John Gray Currin, III of Alamance; Jennifer Lupton Delamar of Pamlico; Jason S. Ellis of Wake; Meredith Eden Frazier of Randolph; Linsay Massey Gould of Wake; Shirlvonda Haith of Guilford; Virginia Lea Howell of Wake; Kimberly Paige Jessen of Wake; Sarah Elizabeth Kearney of Yadkin; Michael David Luethy of Harnett; Jamille Swinson Luney of Wake; Jennifer Burgen Mathis of Gaston; Kia ShaQuawn Matthews of Guilford; Shaun M. McComas of New Hanover; Francis D. McComas of New Hanover; Katherine Alexander Moore of Wake; Emily Lee Moore of Davidson; Afton Alexis Mosley of Wake; Veronica Revels of Robeson; Anne Hampton Ruffner of New Hanover; Christopher Scott Salter of Randolph; Courtney Gaither Sheets of Forsyth; Megan Elizabeth Shepherd of Forsyth; Jonathan Eagle Shores, Jr., of Rowan; Christine Taylor of Pitt; Benjamin Shane Underwood of Randolph; and Elizabeth Carver Warren of Wake.

CALENDAR

Action is taken on the following:

H.B. 1252, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM.

Representative Sexton offers Amendment No. 1 which is adopted by electronic vote (98-0).

The bill fails to pass its third reading, by the following vote, for lack of 72 affirmative votes.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowen, Bowie, Boyd-McIntyre, J. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, Ives, Justus, Kiser, Lemmond, McAllister, McComas, McCombs, McMahan, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Rayfield, Reynolds, J. Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wright - 71.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Braswell, Brawley, Earle, Easterling, Fox, Hackney, Hensley, Hightower, Hill, R. Hunter, Hurley, Lee, Luebke, McCrary, McLaughlin, Michaux, Oldham, Ramsey, Redwine, Richardson, Rogers, Sutton, Womble, and Yongue - 28.

Excused absences: Representatives Church, Fitch, Hunt, Linney, Locke, G. Miller, Miner, G. Robinson, and Wainwright - 9.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Edwards, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 96.

Voting in the negative: Representatives Allred, Eddins, and Ellis - 3.

Excused absences: Representatives Church, Fitch, Hunt, Linney, Locke, G. Miller, Miner, G. Robinson, and Wainwright - 9.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan, Committee Substitute for **H.B. 1298**, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES IN THE TOWNS OF CHAPEL HILL AND CARRBORO AND THEIR EXTRATERRITORIAL PLANNING JURISDICTIONS, is withdrawn from the Calendar and placed on the Calendar of June 11.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1180**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF THE COLLEGE OF THE ALBEMARLE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1334, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL PAY DATE FOR THE CHEROKEE COUNTY SCHOOLS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Morgan, **H.B. 1347**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE NATIONAL FORENSICS LEAGUE TOURNAMENT, is withdrawn from the Calendar and placed on the Calendar of June 11.

On motion of Representative Morgan, **H.B. 1401**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF

FAYETTEVILLE REGARDING ZONING HEARINGS, is withdrawn from the Calendar and placed on the Calendar of June 11.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1372, A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A CORRECTIONAL FACILITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1400, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1417, A BILL TO BE ENTITLED AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1135, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATUTE WHICH NAMED "NEW ROAD" IN CRAVEN COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 1243, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF LAKE HICKORY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 555, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS MAY ACCESS, TO MOVE FEE AUTHORIZATIONS FROM SEPARATE SECTIONS TO A GENERAL FEE SECTION, TO ELIMINATE A FEE THAT IS NOT NEEDED, AND TO UPDATE STATUTORY LANGUAGE ON BOARD ANNUAL MEETINGS.

On motion of Representative Cansler, Committee Amendment No. 1 is adopted by electronic vote (100-2). This amendment changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Arnold, Barbee, Barnes, Beall, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 96.

Voting in the negative: Representatives Adams, Allred, Baker, Berry, Creech, Decker, Hiatt, and Wright - 8.

Excused absences: Representatives Church, Fitch, Hunt, Linney, Locke, G. Miller, Miner, G. Robinson, and Wainwright - 9.

VOTE RECONSIDERED

On motion of Representative Brawley, the vote by which **H.B. 1252**, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, failed to pass its third reading is reconsidered by electronic vote (75-28).

On motion of Representative Brawley, the bill is withdrawn from the

Calendar and placed on the Calendar of June 11.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.J.R. 1228, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE LEGISLATOR, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.J.R. 1276, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF GRANVILLE COUNTY, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.J.R. 1394**, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MARRIAGES CONTRACTED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID, passes its second reading, by electronic vote (100-4), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.J.R. 1484, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE MEMORY OF JAMES GORDON

HANES, JR., FORMER STATE SENATOR AND INDUSTRIALIST, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1203**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE APPOINTMENT IN CERTAIN CIRCUMSTANCES OF PRECINCT OFFICIALS AND BALLOT COUNTERS FOR A PRECINCT WHO ARE NOT REGISTERED TO VOTE IN THAT PRECINCT, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1163**, A BILL TO BE ENTITLED AN ACT TO PROVIDE LIENS ON REAL PROPERTY FOR THE FURNISHING OF RENTAL EQUIPMENT, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1164**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LIEN RIGHTS FOR PERSONS WHO FABRICATE DIES, MOLDS, FORMS, OR PATTERNS AND WHO FABRICATE PRODUCTS FROM DIES, MOLDS, FORMS, OR PATTERNS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1191, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL COVERAGE UNDER THE NORTH CAROLINA BEACH PLAN AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-

RELATED ISSUES, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

Representatives Sherrill, Decker, and G. Wilson request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (106-0).

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1198**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT UNINSURED AND UNDERINSURED MOTORISTS COVERAGE MAY BE LIMITED OR EXCLUDED UNDER EXCESS LIABILITY COVERAGE, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SUBCOMMITTEE REFERRAL

Representatives Holmes, Esposito, and Creech, Co-Chairs, for the Standing Committee on Appropriations, refer:

H.B. 1258, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA TO RETAIN THE NET PROCEEDS FROM SALE OF THE FORMER RESIDENCE OF THE CHANCELLOR OF WINSTON-SALEM STATE UNIVERSITY FOR APPLICATION TOWARD PURCHASE OF THE SUCCESSIVE RESIDENCE FOR THE CHANCELLOR, to the Permanent Subcommittee on Education.

On motion of Representative Morgan, seconded by Representative Ramsey, the House adjourns at 5:01 p.m. to reconvene June 11 at 1:00 p.m.

ONE HUNDRED TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, June 11, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Father, we pause to acknowledge Thy presence in this place, for You are Spirit and Omnipresent, and we are mortal and hunger for a touch of Your Eternalness. Father, this short session, and this election year surely does fine-focus and fine-tune what these good folks are all about, Government, and who is going to fly it. You said Yourself that government is necessary, and it is. But it seems kinda like trying to reinvent the wheel. No matter what color You make it or what size, it's still got to have a hub, spokes, and a rim. And, this 'consent of the governed' thing just means, 'tax somebody else, give me the benefits, and I'll vote for you'. I don't know how this all hangs together and keeps flying, but it does, and I'm sure thankful. Reminds me of a flight one time from Montreal, Canada down to Boston. The plane taxied out to the runway, sat there shaking in preflight for a while, and then a voice on the intercom said, 'We have discovered a problem and are returning to the tarmac.' Finally the plane was airborne, and my friend said to the stewardess, 'Well, they fixed the problem, I guess.' 'No', she replied, 'they just got a new pilot.' Dead silence, but the plane did make it to Boston.

'Jesus, Lord of life and glory,
Bend from heaven Thy gracious ear;
While our waiting souls adore Thee,
Friend of helpless sinners hear:
By Thy mercy, oh deliver us,
By Thy presence, comfort cheer.'

J.J. Cummins

Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-2).

Leaves of absence are granted Representatives Fitch, Holmes, and Hunt for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 1243, AN ACT TO ESTABLISH A NO-WAKE ZONE ON A PORTION OF LAKE HICKORY. (CHAPTER 559)

S.J.R. 1484, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE MEMORY OF JAMES GORDON HANES, JR., FORMER STATE SENATOR AND INDUSTRIALIST. (RESOLUTION 16)

S.J.R. 1394, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MARRIAGES CONTRACTED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID. (RESOLUTION 17)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Wood for the Committee on Education:

Committee Substitute for **S.B. 1173**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 12.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1345, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 12. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 709**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSOLIDATION OF HUMAN SERVICES BY COUNTIES, TO MAKE PROVISIONS RELATIVE TO THE STATE AND FEDERAL FUNDING STREAMS FOR CONSOLIDATED HUMAN SERVICES FUNCTIONS, TO PROVIDE THAT THE MEMBERSHIP OF A CONSOLIDATED HUMAN SERVICES BOARD SHALL BE APPOINTED SOLELY BY THE BOARD OF COUNTY COMMISSIONERS, AND TO CHANGE THE STATUS OF COUNTY EMPLOYEES OF A CONSOLIDATED COUNTY HUMAN SERVICES AGENCY WITH REGARD TO THEIR COVERAGE UNDER THE STATE PERSONNEL ACT, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

H.B. 1130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 105.

Voting in the negative: Representative Allred.

Excused absences: Representatives Fitch, Holmes, and Hunt - 3.

H.B. 1252, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Berry, Bowie, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Howard, H. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, McAllister, McComas, McCombs, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Warner, Watson, Weatherly, C. Wilson, G. Wilson, and Wood - 77.

Voting in the negative: Representatives Adams, Alexander, Barnes, Beall, Blue, Boyd-McIntyre, Brawley, Church, Cunningham, Earle, Easterling, Fox, Gamble, Hackney, Hensley, Hightower, R. Hunter, Lee, Luebke, McCrary, McLaughlin, Michaux, G. Miller, Oldham, Redwine, Sutton, Tolson, Wainwright, Wilkins, and Womble - 30.

Excused absences: Representatives Fitch, Holmes, and Hunt - 3.

H.B. 1347, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE NATIONAL FORENSICS LEAGUE TOURNAMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1401, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE REGARDING ZONING

HEARINGS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1421, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE BOARD OF EDUCATION OF THE MOUNT AIRY CITY SCHOOL ADMINISTRATIVE UNIT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1136**, A BILL TO BE ENTITLED AN ACT TO ALLOW CRAVEN COUNTY AND THE CITIES OF NEW BERN AND HAVELOCK TO DONATE UNCLAIMED BICYCLES TO CHARITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1137, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF FUQUAY-VARINA TO REVIEW ANY REQUEST FOR WITHDRAWAL OF DEDICATION OF ANY STREET OR STREET EASEMENT BEFORE ANY DEDICATION CAN BE WITHDRAWN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1254**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF HAVELOCK CONCERNING THE POWERS OF THE CITY MANAGER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1298**, A BILL TO BE ENTITLED AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES IN THE TOWNS OF CHAPEL HILL AND CARRBORO AND THEIR EXTRATERRITORIAL PLANNING JURISDICTIONS, passes its second reading and there being no objection is

read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARD OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.

On motion of Representative Nichols and without objection, the bill is temporarily displaced.

S.B. 555, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS MAY ACCESS, TO MOVE FEE AUTHORIZATIONS FROM SEPARATE SECTIONS TO A GENERAL FEE SECTION, TO ELIMINATE A FEE THAT IS NOT NEEDED, AND TO UPDATE STATUTORY LANGUAGE ON BOARD ANNUAL MEETINGS.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Barbee, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Dickson, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 103.

Voting in the negative: Representatives Adams, Baker, Berry, Creech, Davis, Decker, Eddins, Hiatt, and Wright - 9.

Excused absences: Representatives Fitch, Holmes, and Hunt - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1157**, A BILL TO BE ENTITLED AN ACT TO CODIFY AND CLARIFY THE STATE BOARD OF ELECTIONS' RULING CONCERNING CONTRIBUTIONS TO STATE CAMPAIGNS BY FEDERAL COMMITTEES, passes its second reading, by electronic vote (108-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1162**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF INELIGIBLE VOTER'S TESTIMONY ABOUT HOW THE VOTE WAS CAST; TO GIVE THE PERSON PROTESTING THE ELECTION THE RIGHT TO CALL FOR A NEW ELECTION WHEN THE NUMBER OF INELIGIBLE VOTERS EXCEEDS THE MARGIN OF VICTORY; AND TO MAKE RELATED CHANGES, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 125**, A BILL TO BE ENTITLED AN ACT TO ALLOW CANCELLATION BY EXHIBITION OF A NOTE SECURED BY A DEED OF TRUST OR MORTGAGE REGARDLESS OF THE DATE OF ENDORSEMENT, passes its second reading, by electronic vote (115-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1149**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS PERTAINING TO LICENSED PHYSICIAN REGISTRATION WITH THE NORTH CAROLINA MEDICAL BOARD, passes its second reading, by electronic vote (114-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1339**, A BILL TO BE ENTITLED AN ACT TO IMPROVE WATER QUALITY BY ESTABLISHING A GOAL TO REDUCE THE AVERAGE LOAD OF NITROGEN DELIVERED TO THE NEUSE RIVER ESTUARY FROM POINT AND NONPOINT SOURCES BY A MINIMUM OF THIRTY PERCENT OF THE AVERAGE ANNUAL LOAD FOR THE PERIOD 1991 THROUGH 1995 BY THE YEAR 2001 AND TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DEVELOP A PLAN TO ACHIEVE THIS GOAL, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1268**, A BILL TO BE ENTITLED AN ACT TO EXPEDITE DISPOSAL OF UNCLAIMED VEHICLES BY TOWING AND STORAGE BUSINESSES, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARD OF EDUCATION IN CRAVEN COUNTY TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, which was temporarily displaced, is before the Body.

Representative Ellis offers Amendment No. 1.

Representative Cunningham inquires of the Chair if the amendment is in order since it changes the title. The Speaker rules that the amendment is in order because captions of local bills may be amended on the floor.

Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and the caption having been amended, remains on the Calendar.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representatives Preston and Grady, Co-Chairs, for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

H.B. 1258, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA TO RETAIN THE NET PROCEEDS FROM SALE OF THE FORMER RESIDENCE OF THE CHANCELLOR OF WINSTON-SALEM STATE UNIVERSITY FOR APPLICATION TOWARD PURCHASE OF THE SUCCESSIVE RESIDENCE FOR THE CHANCELLOR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 12.

On motion of Representative Morgan, seconded by Representative Cunningham, the House adjourns at 1:55 p.m. to reconvene June 12 at 1:00 p.m.

ONE HUNDRED TWENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 12, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, accept again our thanks for this gift of life; our heartbeat is Your orchestration, our breath, Your rhythm, and in Your hand the baton that directs the harmony of our lives. Help us to pay attention that this legislative assembly follow the chorus as You have composed it. I guess that we all want to be leaders, and we are to a degree or we wouldn't be here. But, perhaps the greatest challenge to any of us is to find purpose outside and beyond ourselves. Leader servants may be a good title for us, much as Jesus

said, 'My joy of fulfillment is to do the will of Him that sent me, and to finish His work'. (John 4:34) The engine room on this ferry was sparkling, brass polished, deck clean, bulkheads painted, no smelly stench of rotting trash, so different from the other ferries on the river. Dr. Archie Rutledge commented about it to the old gray-haired man in charge. His only reply, 'Yes sir, I've got a glory'. His glory the cleanest engine room on the river. Jesus our redemption, ours, well, you'll have to fill that in for yourself. And, I pray that as this production called the 'Short Session' unfolds that each of us will keep his eyes on the one with the baton in his hand, so that our part in this legislative symphony won't be out of time or off key, and I pray that each of us has found or will find his glory. Through Christ our Lord. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-2).

Leaves of absence are granted Representatives Brawley, Culpepper, and Holmes for today.

GUESTS

Representatives Dickson, Gamble, Kiser, Weatherly, Rayfield, Berry, Clary, Hunt, Wood, Preston, and Grady escort Mr. Richard Scott Griffin of Gaston County, North Carolina's Teacher of the Year, to the Well of the House, where he makes brief remarks.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 1119, AN ACT TO DELETE THE REQUIREMENT THAT A COMPANY ADD BACK TO ITS NET WORTH FRANCHISE TAX BASE THE AMOUNT OF ITS LOANS THAT ARE PAYABLE TO AN UNRELATED COMPANY BUT ARE ENDORSED OR GUARANTEED BY A RELATED COMPANY, AS RECOMMENDED BY THE DEPARTMENT OF REVENUE. (CHAPTER 560)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Neely for the Committee on Judiciary II:

H.B. 1091, A BILL TO BE ENTITLED AN ACT TO CONFORM THE PENALTY FOR WORKERS' COMPENSATION FRAUD TO THE PENALTY FOR INSURANCE FRAUD AND TO RAISE THE PENALTIES FOR CERTAIN OTHER WORKERS' COMPENSATION OFFENSES FROM CLASS 1 MISDEMEANORS TO CLASS H FELONIES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1114, A BILL TO BE ENTITLED AN ACT TO INCREASE UNIFORM JAIL FEES AND MAKE THOSE FEES MANDATORY AS PART OF ALL SENTENCES UNLESS THE JUDGE ORDERS OTHERWISE, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1233**, A BILL TO BE ENTITLED AN ACT TO ENACT THE OVERHEAD HIGH-VOLTAGE LINE SAFETY ACT AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar for June 13. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1278, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE", with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CUMBERLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR

THE REPLACEMENT AND DISPOSAL OF ROOFING, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1134, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1168, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HENDERSONVILLE AND THE TOWN OF LAUREL PARK TO ENTER INTO ANNEXATION AND PAYMENT IN LIEU OF TAX AGREEMENTS WITH THE OWNERS OF CERTAIN CLASSES OF MANUFACTURING PROPERTIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1181, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF LUMBERTON TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

H.B. 1209, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF BREVARD AND HENDERSONVILLE TO CREATE SQUIRREL SANCTUARIES FOR THE PRESERVATION OF THE "BREVARD WHITE SQUIRREL", with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

H.B. 1234, A BILL TO BE ENTITLED AN ACT TO ALLOW MARTIN COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1342, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE NOMINATION IS MADE ON A TIMELY BASIS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1371, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE COUNTY OF JOHNSTON FROM CERTAIN STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF AN ANIMAL CONTROL FACILITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

H.B. 1384, A BILL TO BE ENTITLED AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF CALABASH AND TO ALLOW EXCEPTIONS TO THE HEIGHT LIMIT UPON APPROVAL BY REFERENDUM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

H.B. 1385, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF

CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM TWO YEARS TO FOUR YEARS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

H.B. 1396, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE LAW REQUIRING THE REGISTER OF DEEDS TO COMPLY WITH MINIMUM INDEXING STANDARDS FOR LAND RECORDS MANAGEMENT IN BRUNSWICK COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1412, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Pate, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following is introduced, read the first time and referred to committee:

By Representatives Womble, Adams, Alexander, Baker, Barnes, Black, Boyd-McIntyre, Brawley, W. Brown, Capps, Cummings, Cunningham, Davis, Fox, Hackney, Hayes, Hiatt, R. Hunter, Ives, Justus, Kiser, Locke, Luebke, McCrary, Michaux, Oldham, Pate, Sexton, Shaw, Shubert, Tolson, Wainwright, Warner, Weatherly, Wilkins, C. Wilson, G. Wilson, and Wood:

H.J.R. 1451, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION CONDEMNING ARSON, VANDALISM, AND BOMB THREATS AGAINST PREDOMINANTLY BLACK CHURCHES AND SUPPORTING EFFORTS TO INVESTIGATE AND SOLVE THESE CRIMES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute No. 2 for **S.B. 678**, A BILL TO BE ENTITLED AN ACT TO ALLOW MONEY CREDITED TO THE CONSUMER PROTECTION FUND TO BE USED TO RETAIN EXPERTS FOR HEARINGS AND TO REQUIRE THAT MONEY RECOVERED FROM DELINQUENCY PROCEEDINGS OR CIVIL ACTIONS AGAINST THE COMMISSIONER BE CREDITED TO THE FUND, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 1108**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MILK PRODUCTS THAT ARE EXEMPT FROM THE SOFT DRINK TAX ARE NOT REQUIRED TO REGISTER WITH THE DEPARTMENT OF REVENUE FOR THE EXEMPTION, is read the first time and referred to the Committee on Finance.

S.B. 1172, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ROCKINGHAM BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 1174, A BILL TO BE ENTITLED AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE FILING DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY CONSOLIDATED BOARD OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 1181, A BILL TO BE ENTITLED AN ACT TO ALLOW UTILITY POLES CARRIED ON SIDE-LOADERS TO EXTEND MORE THAN THREE FEET BEYOND THE FRONT BUMPER OF THE VEHICLE, is read the first time and referred to the Committee on Transportation.

S.B. 1198, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS CONCERNING IMPORTS AND EXPORTS OF MOTOR FUEL UNDER THE "TAX AT THE RACK" LAWS AND TO MAKE OTHER ADJUSTMENTS TO THOSE LAWS, is read the first time and referred to the Committee on Finance.

Committee Substitute for **S.B. 1220**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LOCAL PAY DATES FOR CERTAIN

EMPLOYEES OF VARIOUS LOCAL SCHOOL ADMINISTRATIVE UNITS, is read the first time and referred to the Committee on Education.

S.B. 1221, A BILL TO BE ENTITLED AN ACT RELATING TO SALES OF SEIZED, UNCLAIMED PROPERTY BY THE CITY OF WINSTON-SALEM, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 1222, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM RELATING TO THE SALE OF PROPERTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 1223, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 1239, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX FREE SAMPLES OF PRESCRIPTION DRUGS DISTRIBUTED BY THE MANUFACTURER, is read the first time and referred to the Committee on Finance.

S.B. 1317, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUED SOLVENCY OF THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND TO MAKE OTHER CHANGES TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Finance.

S.B. 1360, A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A CORRECTIONAL FACILITY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1374, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CERRO GORDO TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO EUGENE GREEN, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1378, A BILL TO BE ENTITLED AN ACT AUTHORIZING

DURHAM COUNTY TO ENTER INTO CONTRACTS TO CONSTRUCT SIDEWALKS WITHIN THE COUNTY'S JURISDICTION, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 1379, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO INCREASE ITS FEE FOR ISSUING WEAPONS PERMITS OR LICENSES, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

S.B. 1380, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO ACCEPT PAYMENTS IN LIEU OF REQUIRED STREET AND SIDEWALK CONSTRUCTION, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

S.B. 1385, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DETERMINE THE NUMBER OF REGULAR MEETINGS OF THE CITY COUNCIL TO BE HELD EACH MONTH, is read the first time and referred to the Committee on Local and Regional Government II.

S.B. 1386, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO ALLOW PAYMENT OF ASSESSMENTS OVER A LONGER PERIOD AND AT A REDUCED INTEREST RATE IN CASES OF SPECIAL FINANCIAL HARDSHIP, is read the first time and referred to the Committee on Local and Regional Government II and, if favorable, to the Committee on Finance.

S.B. 1393, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF CERTIFIED EMPLOYEES OF THE MECKLENBURG COUNTY AND CATAWBA COUNTY SHERIFFS' OFFICES FOR ELIGIBILITY FOR BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is read the first time and referred to the Committee on Pensions and Retirement and, if favorable, to the Committee on Local and Regional Government I.

Committee Substitute for **S.B. 1396**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADVISORY COMMITTEE LAW AND THE OMBUDSMAN LAW AS IT AFFECTS NEW HANOVER COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1399, A BILL TO BE ENTITLED AN ACT AUTHORIZING COLUMBUS COUNTY TO ENTER INTO LEASES FOR TERMS NOT LONGER THAN TWENTY YEARS, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1409, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIMINAL OFFENSES IN MONTGOMERY COUNTY OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1412, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE "NO WAKE ZONE" WITHIN ONE HUNDRED FIFTY YARDS OF SEAFOOD WORLD IN TOPSAIL SOUND AND TO REPEAL THE PROHIBITION ON "NO WAKE ZONES" IN PENDER COUNTY, is read the first time and referred to the Committee on Local and Regional Government I.

S.J.R. 1485, A JOINT RESOLUTION HONORING THE MEMORY OF JAMES GORDON HANES, JR., FORMER STATE SENATOR AND INDUSTRIALIST, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1177**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MERGER OF THE TOWN OF BATTLEBORO INTO THE CITY OF ROCKY MOUNT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin,

McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: None.

Excused absences: Representatives Brawley, Culpepper, and Holmes - 3.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.

The bill, as amended, passes its third reading, by electronic vote (110-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for **S.B. 1173**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.

On motion of Representative Baker and without objection, the bill is postponed until June 13.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1394, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF GRAHAM TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION.

On motion of Representative Carpenter, the bill is temporarily displaced.

Committee Substitute for **H.B. 1345**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative Cocklereece.

Excused absences: Representatives Brawley, Culpepper, and Holmes - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1083, A BILL TO BE ENTITLED AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING AGENCY.

On motion of Representative Ellis, the bill is temporarily displaced.

H.B. 1394, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF GRAHAM TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, which was temporarily displaced, is before the Body.

Representative Carpenter offers Amendment No. 1 which is adopted by electronic vote (113-0). This amendment changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue,

Bowen, Bowie, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Capps, Davis, and Eddins - 3.

Excused absences: Representatives Brawley, Culpepper, and Holmes - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1174**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 40A GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES AND INTRODUCTION OF ADDITIONAL EVIDENCE OF PROPERTY VALUE IN CERTAIN CONDEMNATION ACTIONS.

Representative Neely moves that the bill be withdrawn from the Calendar and re-referred to the Committee on Judiciary I.

Representative G. Miller requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Allred, the bill is postponed until June 13 by electronic vote (77-35).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 126**, A BILL TO BE ENTITLED AN ACT TO CREATE THE LONG-TERM CARE SUBCOMMITTEE AND TO PROVIDE FOR THE CREATION OF OTHER SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO MAKE CHANGES TO THE LONG-TERM CARE LAW, passes its second reading, by electronic vote (113-1), and there being no objection is read a third time.

Representative R. Hunter requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (114-0).

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for **H.B. 1082**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF FIVE THOUSAND OR MORE, passes its second reading, by electronic vote (103-6), and there being no objection is read a third time.

Representative Pulley offers Amendment No. 1 which is adopted by electronic vote (69-45).

The bill, as amended, passes its third reading, by electronic vote (79-33), and is ordered engrossed and sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1084**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF LESS THAN FIVE THOUSAND, passes its second reading by electronic vote (87-27).

Representative Pulley objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1101, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO MAKE PERMANENT THE REQUIREMENT THAT COUNTIES USE PART OF THE TWO HALF-CENT LOCAL SALES TAX PROCEEDS ONLY FOR PUBLIC SCHOOL CAPITAL OUTLAY PURPOSES, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1447, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE

SECRETARY OF ADMINISTRATION TO SET BUSINESS SIZE STANDARDS AND APPLY THEM TO THE PROCUREMENT PROCEDURES TO PROMOTE INCREASED PROCUREMENTS FROM SMALL AND MEDIUM-SIZED BUSINESSES.

On motion of Representative Creech, the bill is postponed until June 13.

H.B. 1258, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA TO RETAIN THE NET PROCEEDS FROM SALE OF THE FORMER RESIDENCE OF THE CHANCELLOR OF WINSTON-SALEM STATE UNIVERSITY FOR APPLICATION TOWARD PURCHASE OF THE SUCCESSIVE RESIDENCE FOR THE CHANCELLOR, passes its second reading, by electronic vote (102-8), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1083, A BILL TO BE ENTITLED AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING AGENCY, which was temporarily displaced, is before the Body.

Representative Barnes offers Amendment No. 1 which is adopted by electronic vote (110-0).

The bill, as amended, passes its second reading by electronic vote (90-20).

Representative Ellis objects to the third reading. The bill remains on the Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative McCombs for the Committee on Pensions and Retirement:

H.B. 371, A BILL TO BE ENTITLED AN ACT TO REDUCE THE

COMPENSATION AND EXPENSE ALLOWANCES OF MEMBERS OF THE GENERAL ASSEMBLY AND TO PROVIDE THAT EXPENSE ALLOWANCES ARE NOT INCLUDED IN THE BASE FOR CALCULATING LEGISLATIVE RETIREMENT, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

H.B. 559, A BILL TO BE ENTITLED AN ACT TO MAKE THE LEGISLATIVE RETIREMENT SYSTEM OPTIONAL, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

H.B. 732, A BILL TO BE ENTITLED AN ACT TO EXCLUDE NEW MEMBERS OF THE GENERAL ASSEMBLY FROM PARTICIPATION IN THE LEGISLATIVE RETIREMENT SYSTEM, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

H.B. 1388, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE CITY OF WILSON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

H.B. 1423, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE EMERGENCY AND PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 733, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PROVISION FOR PURCHASE OF OUT-OF-STATE SERVICE IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

S.B. 1201, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LUMBERTON FIREMEN'S SUPPLEMENTARY PENSION FUND TO

INCREASE THE MONTHLY BENEFITS TO ITS MEMBERS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1080, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HUNTING, TRAPPING, AND TAKING OF FOXES AT ANY TIME IN CURRITUCK AND PASQUOTANK COUNTIES AND TO PROVIDE THAT THE WILDLIFE RESOURCES COMMISSION SHALL SET THE STARTING AND QUITTING TIMES FOR THE TAKING OF WATERFOWL IN CURRITUCK SOUND AND ITS TRIBUTARIES AT ALL TIMES OF THE YEAR, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 13. The original bill is placed on the Unfavorable Calendar.

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO PERMIT EXTENSION OF CANDIDATE FILING FOR LOCAL OFFICES IN PASQUOTANK COUNTY WHEN THE COUNTY BOARD OF ELECTIONS OFFICE IS CLOSED ON THE LAST DAY FOR FILING DUE TO SEVERE WEATHER CONDITIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

H.B. 1261, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW IN DARE COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1376, A BILL TO BE ENTITLED AN ACT TO REMOVE THE BAG LIMITS ON THE TRAPPING OF RACCOONS IN BEAUFORT AND HYDE COUNTIES, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 13. The original bill is placed on the Unfavorable Calendar.

H.B. 1414, A BILL TO BE ENTITLED AN ACT RELATING TO THE CHARLOTTE CIVIL SERVICE BOARD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

H.B. 1424, A BILL TO BE ENTITLED AN ACT TO ADD CASWELL AND PERSON COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, with a favorable report.

On motion of the Chair, the bill is re-referred to the Committee on Finance.

S.B. 1169, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE NATIONAL FORENSICS LEAGUE TOURNAMENT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

S.B. 1203, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF BESSEMER CITY TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 13.

S.B. 1246, A BILL TO BE ENTITLED AN ACT TO REPEAL A SECTION OF THE CHARTER OF THE TOWN OF LANDIS RELATING TO ABC IN CONFLICT WITH GENERAL LAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 1340, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONREGULATORY PROGRAM TO PROTECT WATER QUALITY AND TO CREATE THE RIPARIAN BUFFER FACILITATION AND ASSISTANCE GRANT FUND TO SUSTAIN WATER QUALITY IN THE STATE THROUGH COOPERATIVE METHODS, AS RECOMMENDED

BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 687**, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING WASTEWATER SYSTEMS, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar for June 13. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 1338, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 709**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSOLIDATION OF HUMAN SERVICES BY COUNTIES, TO MAKE PROVISIONS RELATIVE TO THE STATE AND FEDERAL FUNDING STREAMS FOR CONSOLIDATED HUMAN SERVICES FUNCTIONS, TO PROVIDE THAT THE MEMBERSHIP OF A CONSOLIDATED HUMAN SERVICES BOARD SHALL BE APPOINTED SOLELY BY THE BOARD OF COUNTY COMMISSIONERS, AND TO CHANGE THE STATUS OF COUNTY EMPLOYEES OF A CONSOLIDATED COUNTY HUMAN SERVICES AGENCY WITH REGARD TO THEIR COVERAGE UNDER THE STATE PERSONNEL ACT, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, **S.B. 540**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative Hurley, that the House adjourn, subject to the receiving of committee reports and subcommittee referrals, to reconvene June 13 at 1:00 p.m. The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1415, A BILL TO BE ENTITLED AN ACT TO ALLOW CANDIDATES FOR COUNTY AND MUNICIPAL OFFICE IN WAKE COUNTY TO WITHDRAW UP TO THREE DAYS AFTER THE FILING DEADLINE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Miner for the Committee on Transportation:

H.B. 1141, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO USE DIFFERENT COLOR BORDERS TO DISTINGUISH THE AGE OF LICENSE HOLDERS, THEREBY MAKING IT EASIER TO ISSUE DUPLICATE LICENSES BY MAIL WHEN THE PHOTOGRAPH ON THE ORIGINAL LICENSE IS A DIGITIZED IMAGE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1172, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE RAIL SAFETY SECTION FROM THE UTILITIES COMMISSION TO THE DEPARTMENT OF TRANSPORTATION AND TO DIRECT THE SECRETARY OF TRANSPORTATION TO STUDY THE NEED FOR CONTINUATION OF THE RAIL SAFETY INSPECTION PROGRAM, with

a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO DELETE THE UNNECESSARY "L" ENDORSEMENT FOR A COMMERCIAL DRIVERS LICENSE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1183, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1266, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE ONE-DOLLAR FEE FOR MAIL-IN VEHICLE REGISTRATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1267, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED LIMITS UP TO SEVENTY MILES PER HOUR ON DESIGNATED PARTS OF CONTROLLED ACCESS HIGHWAYS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative G. Robinson for the Committee on Business and Labor:

Committee Substitute for **S.B. 1275**, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

The House stands adjourned at 5:30 p.m.

ONE HUNDRED TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES

Thursday, June 13, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You for yesterday and for Mr. Griffin who talked to us about 'Weeds in The Garden'. If there is hope for our public schools, it must come through teachers of his caliber and conviction. And, thank You again for this day, for Your love, forgiveness, and mercy. Thank You for being a God with whom all things are not the same, for giving us eternal standards and values to live by, and to judge our actions by. Perhaps there is no place where integrity, character, and moral rectitude are more tested and revealed than in government, especially when we are elected to serve by an electorate whose values and ethical standards may at times be totally suspect. We admire and envy men like Daniel and his three friends. They were in politics of a sort, too, in competition with the appointed Satraps, and the Satraps played dirty. They had a law passed against praying. Daniel believed in praying to his God. He prayed anyway and ended up spending the night with a lion for his pillow. Father, You saw it all and the Satraps ended up as lion food the next day. They puffed up the king, made a statue of him out of gold, and declared that everybody had to walk the party line and bow down to it. Three friends, Shadrach, Meshach, and Abednego had convictions about such things and really ended up in the fire, but You made divine asbestos suits and delivered them in person. This really turned off the heat. These were men living in a political system that was really tough. Our people don't feed us to the lions or throw us in the fiery furnace, they just don't vote for us, and that's just about as bad. It's a test Lord; politics is always a test, and I pray for all the men and women here in the House. Give them wisdom, discernment, right convictions, and courage to stand for what they believe in. And, Father, please protect the rest of us whose future well-being depend so much upon them. In Your name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 12 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-2).

Leaves of absence are granted Representatives Culp, G. Robinson, and Wainwright for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 1228, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE LEGISLATOR. (RESOLUTION 18)

H.J.R. 1276, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF GRANVILLE COUNTY. (RESOLUTION 19)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Holmes, Esposito, and Creech, Co-Chairs, for the Committee on Appropriations:

Committee Substitute for **H.B. 1104**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO ESTABLISH THE SCHOOL FACILITIES TRUST FUND TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO REDUCE THE PRESSURE ON THE LOCAL PROPERTY TAX, with a favorable report as to Committee Substitute Bill No. 2, which changes the title, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), Committee Substitute Bill No. 2 is placed on the Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Edwards for the Committee on State Government:

H.B. 1139, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE REVIEW OF GRIEVANCES FILED BY STATE EMPLOYEES AND APPLICANTS FOR STATE EMPLOYMENT, with a favorable report as to committee substitute bill, unfavorable as to original bill and recommendation that the committee substitute bill be re-referred to the Committee on Judiciary II.

On motion of the Chair, the committee substitute bill is re-referred to the Committee on Judiciary I. The original bill is placed on the Unfavorable Calendar.

By Representative Nichols for the Committee on Health and Environment:

S.B. 1328, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT PHASE ONE OF THE RESTRUCTURING OF ENVIRONMENTAL PROGRAMS IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL PROCESS ACTION TEAM OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Dockham, for the Committee on Insurance:

S.B. 821, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PRENEED FUNERAL FUNDS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 986, A BILL TO BE ENTITLED AN ACT TO REDUCE THE WHITE GOODS DISPOSAL TAX RATE BY APPROXIMATELY THIRTY-THREE PERCENT, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1144, A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL AND TO ENUMERATE ITS DUTIES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1179, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1241, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX LAW THAT APPLIES TO BUNDLED TRANSACTIONS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1242, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1296, A BILL TO BE ENTITLED AN ACT TO REPEAL THE THIRTY-DAY TAX PROTEST RULE AND ALLOW A TAXPAYER TO REQUEST A REFUND OF AN ILLEGAL TAX ANYTIME WITHIN THREE YEARS AFTER THE TAX WAS DUE OR SIX MONTHS AFTER PAYING THE TAX, WHICHEVER IS LATER, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 33**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE CRIMINAL JURISDICTION OF DISTRICT AND SUPERIOR COURT AND TO MAKE VARIOUS CRIMINAL LAW PROCEDURAL CHANGES, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representatives Berry and Howard, Co-Chairs, for the Committee on Welfare Reform and Human Resources:

H.B. 1294, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO REQUIRE ALL STATE AGENCIES THAT DEAL WITH CHILD HEALTH AND WELFARE TO REPORT DATA COLLECTION TO THE CHILD FATALITY TASK FORCE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Capps, Aldridge, Allred, Arnold, Baker, Beall, Bowen, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Cummings, Davis, Dickson, Eddins, Ellis, Fox, Gray, Hayes, Hightower, Hill, Howard, R. Hunter, Justus, Kiser, Lee, Locke, McComas, McCombs, McCrary, McMahan, Mitchell, Neely, Pate, Ramsey, Rayfield, Sexton, Sharpe, Shaw,

Shubert, Tallent, Warner, Weatherly, C. Wilson, G. Wilson, and Wood:

H.B. 1452, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MARRIAGES CONTRACTED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID, is referred to the Committee on Welfare Reform and Human Resources.

By Representatives Michaux, Adams, Alexander, Allred, Black, Blue, Boyd-McIntyre, Cummings, Cunningham, Daughtry, Davis, Earle, Fitch, Hayes, H. Hunter, R. Hunter, Justus, Lemmond, Locke, Luebke, McCrary, Mitchell, Oldham, Pate, J. Robinson, Shaw, Wainwright, C. Wilson, and Womble:

H.J.R. 1453, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO RAISE THE PENALTY FOR BURNING OF RELIGIOUS STRUCTURES, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 1177**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MERGER OF THE TOWN OF BATTLEBORO INTO THE CITY OF ROCKY MOUNT, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Culp, G. Robinson, and Wainwright - 3.

Committee Substitute for **S.B. 1173**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.

Representative Buchanan offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.

On motion of Representative R. Hunter, Committee Amendment No. 1 is adopted.

Representative Buchanan offers Amendment No. 2.

On motion of the Chair, the bill with pending Amendment No. 2 is temporarily displaced.

H.B. 1385, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM TWO YEARS TO FOUR YEARS.

On motion of Representative Pate, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 1371, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE COUNTY OF JOHNSTON FROM CERTAIN STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF AN ANIMAL CONTROL FACILITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1384, A BILL TO BE ENTITLED AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF CALABASH AND TO ALLOW EXCEPTIONS TO THE HEIGHT LIMIT UPON APPROVAL BY REFERENDUM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1209, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITIES OF BREVARD AND HENDERSONVILLE TO CREATE SQUIRREL SANCTUARIES FOR THE PRESERVATION OF THE "BREVARD WHITE SQUIRREL", passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, which was temporarily displaced with Amendment No. 2 pending, is before the Body.

Amendment No. 2 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 1388, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE CITY OF WILSON FIREMEN'S SUPPLE-

MENTAL RETIREMENT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1080**, A BILL TO BE ENTITLED AN ACT TO MAKE FOX HUNTING IN CURRITUCK COUNTY CONSISTENT WITH THE REGULATIONS OF THE WILDLIFE RESOURCES COMMISSION BY REPEALING THE LAW AUTHORIZING FOX HUNTING IN CERTAIN PORTIONS OF CURRITUCK COUNTY AT ALL TIMES OF THE YEAR, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1131, A BILL TO BE ENTITLED AN ACT TO PERMIT EXTENSION OF CANDIDATE FILING FOR LOCAL OFFICES IN PASQUOTANK COUNTY WHEN THE COUNTY BOARD OF ELECTIONS OFFICE IS CLOSED ON THE LAST DAY FOR FILING DUE TO SEVERE WEATHER CONDITIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for **H.B. 1376**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE BAG LIMITS ON THE TRAPPING OF RACCOONS IN BEAUFORT, CRAVEN, HYDE, PAMLICO, AND PITT COUNTIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 1414, A BILL TO BE ENTITLED AN ACT RELATING TO THE CHARLOTTE CIVIL SERVICE BOARD, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S.B. 1169, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE NATIONAL FORENSICS LEAGUE TOURNAMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 1203, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF BESSEMER CITY TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 1394, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTIES OF GRAHAM AND CHEROKEE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 109.

Voting in the negative: Representatives Capps, Davis and K. Miller - 3.

Excused absences: Representatives Culp, G. Robinson, and Wainwright - 3.

Committee Substitute for **H.B. 1345**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 112.

Voting in the negative: Representatives K. Miller, Wood, and Wright - 3.

Excused absences: Representatives Culp, G. Robinson, and Wainwright - 3.

H.B. 1083, A BILL TO BE ENTITLED AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING AGENCY.

Representative Luebke offers Amendment No. 2 which is adopted by electronic vote (109-1).

The bill, as amended, passes its third reading, by electronic vote (101-11), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 1084**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF LESS THAN FIVE THOUSAND.

Representative Pulley offers Amendment No. 1.

The House recesses at 2:27 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Committee Substitute for **H.B. 1084**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAWS GOVERNING ANNEXATION BY CITIES WITH A POPULATION OF LESS THAN FIVE THOUSAND.

Amendment No. 1, which was pending before recess, is before the Body.

Representative Mercer offers perfecting Amendment No. 2 which is adopted by electronic vote (73-14).

Amendment No. 1 is adopted by electronic vote (64-35).

The bill, as amended, passes its third reading, by electronic vote (68-31), and is ordered engrossed and sent to the Senate.

Committee Substitute for **H.B. 1174**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 40A GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES AND INTRODUCTION OF ADDITIONAL EVIDENCE OF PROPERTY VALUE IN CERTAIN CONDEMNATION ACTIONS.

Pursuant to Rule 24.1A(c), the request that Representative G. Miller be excused from voting on June 12 is continued.

Pursuant to Rule 36.1, Representative Creech, Co-Chair of the Appropriations Committee, requests a fiscal note and the bill is removed from the Calendar.

H.B. 1447, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SECRETARY OF ADMINISTRATION TO SET BUSINESS SIZE STANDARDS AND APPLY THEM TO THE PROCUREMENT PROCEDURES TO PROMOTE INCREASED PROCUREMENTS FROM SMALL AND MEDIUM-SIZED BUSINESSES.

Pursuant to Rule 36.1, Representative Creech, Co-Chair of the Appropriations Committee, requests a fiscal note and the bill is removed from the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1116, A BILL TO BE ENTITLED AN ACT TO ALLOW PERSONS WHO ARE UNABLE TO GO TO THE POLLS BECAUSE OF OBSERVANCE OF A RELIGIOUS HOLIDAY TO CAST AN ABSENTEE BALLOT, passes its second reading, by electronic vote (104-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for **H.B. 1233**, A BILL TO BE ENTITLED AN ACT TO ENACT THE OVERHEAD HIGH-VOLTAGE LINE SAFETY ACT AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE.

Representative G. Miller offers Amendment No. 1 which is adopted by electronic vote (100-0).

The bill, as amended, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

House Committee Substitute No. 2 for **S.B. 687**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR IMPROVEMENT PERMITS FOR A WASTEWATER SYSTEM THAT ARE VALID FOR FIVE YEARS IN ADDITION TO THE IMPROVEMENT PERMITS THAT ARE VALID WITHOUT EXPIRATION UNDER CURRENT LAW, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **S.B. 1275**, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA, with a favorable report as to House Committee Substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 14. The Senate committee substitute bill is placed on the Unfavorable Calendar.

H.B. 1259, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES REFUNDS, WITHOUT INTEREST, FOR STATE INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 14. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Miner, Chair for the Standing Committee on Transportation, refers:

S.B. 1181, A BILL TO BE ENTITLED AN ACT TO ALLOW UTILITY POLES CARRIED ON SIDE-LOADERS TO EXTEND MORE THAN THREE FEET BEYOND THE FRONT BUMPER OF THE VEHICLE, to the Permanent Subcommittee on Highways.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **S.B. 470**, A BILL TO BE ENTITLED AN ACT TO CREATE THE GOOD FUNDS SETTLEMENT ACT, AND TO AMEND THE DEFINITIONS UNDER THE REGISTRATION REQUIREMENTS ACT FOR CERTAIN MAKERS OF MORTGAGES AND DEEDS OF TRUST ON RESIDENTIAL REAL PROPERTY, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative Black, that the House adjourn, subject to the receipt of Senate messages, to reconvene June 14 at 9:30 a.m. This motion carries.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 14.

Senate Committee Substitute for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 14.

The House stands adjourned at 7:45 p.m.

ONE HUNDRED THIRTIETH DAY

HOUSE OF REPRESENTATIVES

Friday, June 14, 1996

The House meets at 9:30 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, You must believe that there is hope for all of us because You have given us another day. But, we need to be reassured

by Your promise of faith that You 'will never leave us nor forsake us'. (Hebrews 13:5) Because to get this team called Republican and Democrat harnessed and pulling together in bipartisan harmony without breaking all the eggs, will take more than the wisdom of mere man. I'm still learning, Father, but this Short Session has surely been different from Regular Session. Lots of good legislation, but I've felt like we were sitting on a time bomb and hoping desperately that someone would defuse the thing before it went off. All that has happened until now seems a bit like watching the preliminary events before the main bout. Kinda like marching around Jericho waiting for the trumpets to sound. If this budget birthing thing is the Legislative Armageddon that we've been waiting for, please guide and direct these good folks safely through it. Give to them perceptive insight, prophetic vision, compassionate fiscal evaluation, and disciplined humanitarian accountability. And when all the political dust has settled and all the debriefing caucuses have come to an end, may the constituents of each Representative feel that they have done his or her best to represent them with genuine and personal concern. And now, Father, I have the urge to say in true Olympic form, 'Let the games begin!'. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 13 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (106-2).

Leaves of absence are granted Representatives Buchanan, Gamble, G. Robinson, Sutton, and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representatives Grady and Preston, Co-Chairs, for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

Committee Substitute for **S.B. 1139**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE

LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO MAKE AN APPROPRIATION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1116, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CLINTON-SAMPSON AGRI-CIVIC CENTER COMMISSION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1138, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1184, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTY OF COMMISSIONERS OF THE WASHINGTON HOUSING AUTHORITY UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 17.

H.B. 1212, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO SETTLEMENT OF CLAIMS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 17.

H.B. 1270, A BILL TO BE ENTITLED AN ACT TO PROHIBIT

HUNTING FROM THE RIGHT-OF-WAY OF POWELL ROAD IN CRAVEN COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 17.

H.B. 1381, A BILL TO BE ENTITLED AN ACT TO AMEND THE DESIGNATION OF THE HALIWA-SAPONI INDIAN TRIBE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 17.

H.B. 1383, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CERRO GORDO TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO EUGENE GREEN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1390, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1395, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR INITIATIVE, REFERENDUM, AND RECALL IN THE TOWN OF RIVER BEND, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 17.

H.B. 1397, A BILL TO BE ENTITLED AN ACT AUTHORIZING COLUMBUS COUNTY TO ENTER INTO LEASES FOR TERMS NOT LONGER THAN TWENTY YEARS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1419, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LOCAL ALCOHOL BEVERAGE CONTROL BOARD AUDITS FROM QUARTERLY TO ANNUAL TO CONFORM TO THE GENERAL STATUTES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 17.

S.B. 1267, A BILL TO BE ENTITLED AN ACT TO ADD NEW HANOVER COUNTY TO THOSE COUNTIES IN WHICH A TENANT'S REFUSAL TO PERFORM A CONTRACT FOR THE RENTAL OF LAND IS GROUNDS FOR DISPOSSESSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 17.

By Representative Neely for the Committee on Judiciary II:

H.B. 1207, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MAXIMUM PERIOD OF TIME A JUVENILE MAY BE COMMITTED IN ACCORDANCE WITH THE STRUCTURED SENTENCING ACT AS RECOMMENDED BY THE SENTENCING AND POLICY ADVISORY COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1287, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representatives Berry and Howard, Co-Chairs, for the Committee on Welfare Reform and Human Resources:

H.B. 1316, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO BROADEN THE ACCESS TO CONFIDENTIAL RECORDS FOR THE PURPOSES OF CHILD FATALITY REVIEW AND PREVENTION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representatives Holmes, Esposito, and Creech, Co-Chairs, for the Standing Committee on Appropriations refer:

H.B. 1076, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE FISHERY RESOURCE GRANT PROGRAM IN THE NORTH CAROLINA SEA GRANT COLLEGE PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA, to the Permanent Subcommittee on Natural and Economic Resources.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Dockham for the Committee on Insurance:

H.B. 1194, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEDICARE SUPPLEMENT INSURANCE LAWS TO COMPLY WITH THE FEDERAL SOCIAL SECURITY AMENDMENTS OF 1994 AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Crawford, Fox, and Wilkins:

H.J.R. 1454, A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF GRANVILLE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 1294, A BILL TO BE ENTITLED AN ACT TO CONFORM THE MOTOR VEHICLE LAWS TO THE FEDERAL DEREGULATION OF TRUCKING AND TO MAKE TECHNICAL CHANGES TO THE MOTOR VEHICLE LAWS, is read the first time and referred to the Committee on Transportation and, if favorable, to the Committee on Finance.

S.B. 1377, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

S.J.R. 1486, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GOVERNOR JOHN MOTLEY MOREHEAD ON THE TWO HUNDREDTH ANNIVERSARY OF HIS BIRTH, which passed the Senate by a two-thirds majority vote as required by Resolution 15 of the Session Laws of the 1995 General Assembly.

The resolution is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

Representative Holmes moves that the House do not concur in the Senate committee substitute bill and requests conferees.

Representative Daughtry calls the previous question on the motion and the call is sustained by electronic vote (70-42).

The motion not to concur carries by electronic vote (67-46).

Representatives Hensley and Black state that their voting equipment malfunctioned, and they request to be recorded as voting "no". Representative McMahan states that his voting equipment malfunctioned, and he requests to be recorded as voting "aye".

The adjusted vote total is (67-47).

The Speaker appoints the following as conferees on the part of the House and the Senate is so notified by Special Message:

Representatives Holmes, Esposito, and Creech, Co-Chairs; Representatives Daughtry, Russell, Bowie, Grady, Preston, Weatherly, Mitchell, Thompson, Justus, Hayes, Gardner, Lemmond, Ives, Nye, Crawford, Cummings, Cansler, Kiser, Gray, Arnold, C. Wilson, Nichols, and Morgan.

Senate Committee Substitute for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST.

On motion of Representative Daughtry, the House does not concur in the Senate committee substitute, by electronic vote (70-44), and conferees are requested.

Representative Wood requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (71-43).

The Speaker appoints Representative Daughtry, Chair; Representatives Shubert, Gray, Culpepper, and Arnold as conferees on the part of the House and the Senate is so notified by Special Message.

House Committee Substitute for **S.B. 1275**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF AND TO PROMOTE ECONOMIC DEVELOPMENT.

Representative Owens offers Amendment No. 1.

The Speaker rules Amendment No. 1 to be material.

On motion of Representative Morgan, seconded by Representative Nichols, Amendment No. 1 is tabled by electronic vote (62-48).

Representative Luebke offers Amendment No. 2 which is adopted by electronic vote (65-38).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 94.

Voting in the negative: Representatives Adams, Alexander, Barnes, Blue, Culpepper, Easterling, Fitch, Hackney, Hensley, H. Hunter, Luebke, McAllister, Richardson, Rogers, and Womble - 15.

Excused absences: Representatives Buchanan, Gamble, G. Robinson, Sutton, and Wright - 5.

Committee Substitute for **H.B. 1259**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES A REFUNDABLE TAX CREDIT, WITHOUT INTEREST, FOR STATE INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988.

Pursuant to Rule 24.1A, Representatives Pate and McLaughlin request that they be excused from voting on this bill because they are federal retirees, and these requests are granted.

Representative Luebke inquires of the Chair if, pursuant to Rule 38(a) 2, the bill needs to go to the Committee on Appropriations. The Speaker rules that it does not.

The bill passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

Representative Ramsey requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (109-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative Sexton for the Permanent Subcommittee on Highways of the Standing Committee on Transportation, with approval of standing committee chair for report to be made directly to the floor of the House:

S.B. 1181, A BILL TO BE ENTITLED AN ACT TO ALLOW UTILITY POLES CARRIED ON SIDE-LOADERS TO EXTEND MORE THAN THREE FEET BEYOND THE FRONT BUMPER OF THE VEHICLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

RE-REFERRALS

On motion of Representative Morgan and without objection, **H.B. 1335**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE GASTONIA FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT, is withdrawn from the Committee on Appropriations and re-referred to the Committee on Local and Regional Government II.

On motion of Representative Morgan and without objection, **H.B. 1138**, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF

PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU, is withdrawn from the Committee on Finance and re-referred to the Committee on Local and Regional Government I.

SELECT COMMITTEE APPOINTED

The Speaker announces the appointment of the following members to the Select Committee on Congressional Redistricting:

Representative Grady, Chair; Representatives Russell, Gray, Cummings, Holmes, Howard, Esposito, McMahan, Morgan, McAllister, Crawford, and Mercer.

On motion of Representative Morgan, seconded by Representative Rogers, the House adjourns at 12:02 p.m., in memory of former Representative Dan Lilley, to reconvene Monday, June 17, 1996, at 4:00 p.m.

ONE HUNDRED THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES

Monday, June 17, 1996

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, hallowed be Thy name. We offer unto You our worship of praise and our grateful hearts. What a weekend we have had. For some, delegate convention time: who to send, for all, redistricting confusion. What will this patchwork quilt look like? What does it portend? Budget conferees, redistricting conferees, phone lines hot, computer blindness, fax and E-mail flipping like falling leaves. Father's Day, almost forgot. 'Hello Dad, I love you man; don't want a thing, just remembering. The feel of your hand in my first State Fair crowd, your strong legs as you carried me back home at the end of a long quail hunt, your prayer at the table, Father, give us grateful hearts, you taught me how to milk a cow, hitch up the team, drive a car, shoot a gun, my first prayer, "Now I lay me down to sleep", and how to

trust the Lord. You warmed the seat of my pants to teach me right from wrong, and you hugged Mama when too many kids and the day got too long. When we fussed as teenagers and we all needed a thrashing, you just called us all in, sat us down, and quietly prayed. You gave us rite of passage. I thought that we were poor, but now I know how rich I really was. I'll be seeing you Dad, but right now we've got work to do'. Bless these Pages in our midst. Guide and bless our Speaker, and bless the men and women on both sides of the aisle. May our debate be clarifying, our argument perfecting, and our amending be commending, and bless all of our staff, without whom we could do nothing. Through Christ our Lord. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 14 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (91-0).

Leaves of absence are granted Representatives Blue, Cunningham, Dockham, Earle, Hightower, R. Hunter, McMahan, G. Miller, G. Robinson, and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1145, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO ALLOW THE

COUNTY OF DARE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1210, A BILL TO BE ENTITLED AN ACT CLARIFYING THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF THE DARE COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1211, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF KILL DEVIL HILLS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 18. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1234**, A BILL TO BE ENTITLED AN ACT TO ALLOW MARTIN, PERSON, AND VANCE COUNTIES TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1272, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1289, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1306, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1313, A BILL TO BE ENTITLED AN ACT TO ALLOW WILSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

Committee Substitute for **H.B. 1314**, A BILL TO BE ENTITLED AN ACT TO ALLOW HALIFAX, NASH AND WILSON COUNTIES TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1328, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SANFORD GOLF COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1355, A BILL TO BE ENTITLED AN ACT TO EXTEND UP TO TWENTY YEARS THE PERIOD TO REPAY SPECIAL ASSESSMENTS IN THE CITY OF FAYETTEVILLE, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 18. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1357**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ANNEXATION OF THE EDENTON AIRPORT FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN OF EDENTON, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1366, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF WASHINGTON, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

Committee Substitute for **H.B. 1370**, A BILL TO BE ENTITLED AN

ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1379, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1412, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

H.B. 1413, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR A MAGNET TECHNICAL HIGH SCHOOL FOR USE BY ITS COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

S.B. 1176, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1378, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 1190, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXTRATERRITORIAL PLANNING JURISDICTION OF THE TOWN OF WALLACE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1245, A BILL TO BE ENTITLED AN ACT CONCERNING THE DEFINITION OF SUBDIVISION FOR THE TOWN OF ROSE HILL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 18.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Russell, Braswell, and Pate:

H.J.R. 1455, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE LEGISLATOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McAllister and Warner:

H.J.R. 1456, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT IN CONNECTION WITH OPERATION JOINT ENDEAVOR, is referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of June 17-21 are introduced to the membership. They are: Joshua Dean Arthur of Carteret; Bobette N. Blanchard of Cumberland; Jonathan Brubaker of Randolph; Nicole Antoinette Buffong of Onslow; Chandler Carmichael of Wake; Holly Constance Chudalski of Union; Ross A. Cidlowski of Orange; Christina M. Fiske of Macon; Kevin Ray Gertsch of Wake; Matthew Alan Handy of Randolph; Anthony LaMonte Hardison of Onslow; Cooper Buxton Healey of Orange; Christopher Morgan Hensley of Wake; Anne Augusta Hutchinson of Wake; Katrina René Ingram of Wake; Mary Jennings Lambert of Wayne; Sheldon A. Lanier of Craven; Charles Samuel Maulden of Cabarrus; Brian Lee Moore of Wake; Laura Franklin Palmer of Davidson; Angie Renee Pell of Randolph; Jeremy R. Pressley of

Haywood; John Julian Pugh of Randolph; Samuel Carson Riddle of Moore; Crissy Ann Skinner of Gaston; Billye Carroll Stanley of Carteret; Jill M. Thomas of Carteret; Julie Amber Thomas of Chatham; Azure Dee Thompson of Robeson; Laurel D. Wagoner of Scotland; Sammy A. Walker of Randolph; Margaret Grace West of Orange; Adrienne Lynette Wilson of Forsyth; Nick Wilson of Harnett; and Ryan Christopher Wilson of Forsyth.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 1116, AN ACT TO ALLOW PERSONS WHO ARE UNABLE TO GO TO THE POLLS BECAUSE OF OBSERVANCE OF A RELIGIOUS HOLIDAY TO CAST AN ABSENTEE BALLOT. (CHAPTER 561)

S.B. 1169, AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF EDUCATION TO PERMIT THE USE OF PUBLIC SCHOOL BUSES TO SERVE THE TRANSPORTATION NEEDS OF THE NATIONAL FORENSICS LEAGUE TOURNAMENT. (CHAPTER 562)

S.B. 1203, AN ACT TO ALLOW THE CITY OF BESSEMER CITY TO CONVEY CERTAIN DESCRIBED PROPERTY AT PRIVATE SALE. (CHAPTER 563)

GUEST

The Speaker appoints Representatives Sutton, Brawley, Dickson, Hill, Redwine, and Cummings to escort Colonel William S. McArthur, a Master Army Aviator and Astronaut from Robeson County, to the Well of the House, where he makes brief remarks to the Body.

CALENDAR

Action is taken on the following:

S.B. 1267, A BILL TO BE ENTITLED AN ACT TO ADD NEW HANOVER COUNTY TO THOSE COUNTIES IN WHICH A TENANT'S REFUSAL TO PERFORM A CONTRACT FOR THE RENTAL OF LAND IS GROUNDS FOR DISPOSSESSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge,

Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hill, Holmes, Howard, Hunt, H. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, and Yongue - 97.

Voting in the negative: None.

Excused absences: Representatives Blue, Cunningham, Dockham, Earle, Hightower, R. Hunter, McMahan, G. Miller, G. Robinson, Wood, and Wright - 11.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Capps, Committee Substitute for **H.B. 1415**, A BILL TO BE ENTITLED AN ACT TO ALLOW CANDIDATES FOR COUNTY AND MUNICIPAL OFFICE IN WAKE COUNTY TO WITHDRAW UP TO THREE DAYS AFTER THE FILING DEADLINE, is withdrawn from the Calendar and placed on the Calendar of June 19.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1342, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE NOMINATION IS MADE ON A TIMELY BASIS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1423, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE EMERGENCY AND PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1246, A BILL TO BE ENTITLED AN ACT TO REPEAL A SECTION OF THE CHARTER OF THE TOWN OF LANDIS RELATING TO ABC IN CONFLICT WITH GENERAL LAW, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 1184, A BILL TO BE ENTITLED AN ACT RELATING TO THE DUTY OF COMMISSIONERS OF THE WASHINGTON HOUSING AUTHORITY UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1212, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO SETTLEMENT OF CLAIMS.

On motion of Representative Pate, Committee Amendment No. 1 fails of adoption.

Representative Pate offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

H.B. 1270, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF POWELL ROAD IN

CRAVEN COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1381, A BILL TO BE ENTITLED AN ACT TO AMEND THE DESIGNATION OF THE HALIWA-SAPONI INDIAN TRIBE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1395, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR INITIATIVE, REFERENDUM, AND RECALL IN THE TOWN OF RIVER BEND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1419, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LOCAL ALCOHOL BEVERAGE CONTROL BOARD AUDITS FROM QUARTERLY TO ANNUAL TO CONFORM TO THE GENERAL STATUTES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

House Committee Substitute for **S.B. 1275**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF AND TO PROMOTE ECONOMIC DEVELOPMENT.

Amendment No. 2, which was adopted June 14, is ruled material, thus placing the bill on the Calendar for its second roll call reading.

Representative Owens offers Amendment No. 3 which is ruled material.

On motion of Representative Daughtry, seconded by Representative Creech, Amendment No. 3 is tabled by electronic vote (60-43).

Representative W. Brown offers Amendment No. 4.

Representative Luebke inquires of the Chair if the amendment is material. The Speaker rules that the amendment is not material.

On motion of Representative Daughtry, seconded by Representative Nichols, Amendment No. 4 is tabled by electronic vote (57-46).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Hill, Holmes, Howard, Hunt, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, C. Wilson, G. Wilson, Wood, and Yongue - 93.

Voting in the negative: Representatives Alexander, Barnes, Easterling, Fitch, Gamble, Hackney, Hensley, H. Hunter, Luebke, Wilkins, and Womble - 11.

Excused absences: Representatives Blue, Cunningham, Dockham, Earle, Hightower, R. Hunter, McMahan, G. Miller, G. Robinson, and Wright - 10.

Pursuant to Rule 36.1, the fiscal note requested on June 13 by Representative Creech is received and attached to Committee Substitute for **H.B. 1174**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 40A GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES AND INTRODUCTION OF ADDITIONAL EVIDENCE OF PROPERTY VALUE IN CERTAIN CONDEMNATION ACTIONS. The bill is placed on today's Calendar.

On motion of Representative Allred, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1172**, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE RAIL SAFETY SECTION FROM THE

UTILITIES COMMISSION TO THE DEPARTMENT OF TRANSPORTATION AND TO DIRECT THE SECRETARY OF TRANSPORTATION TO STUDY THE NEED FOR CONTINUATION OF THE RAIL SAFETY INSPECTION PROGRAM, passes its second reading, by electronic vote (100-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1489, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE LEGISLATOR.

On motion of Representative Russell, the rules are suspended and the resolution is placed on the Calendar for immediate consideration.

The resolution passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1491, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WESLEY DAVIS WEBSTER, FORMER MEMBER OF THE GENERAL ASSEMBLY, which passed the Senate by a two-thirds majority vote as required by Resolution 15 of the Session Laws of the 1995 General Assembly.

The resolution is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1138, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

CALENDAR (continued)

Committee Substitute for **H.B. 1174**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 40A GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES AND INTRODUCTION OF ADDITIONAL EVIDENCE OF PROPERTY VALUE IN CERTAIN CONDEMNATION ACTIONS, which was temporarily displaced, is before the Body.

Representative Allred offers Amendment No. 1.

Representative Michaux inquires of the Chair if the amendment changes the title of the bill. The Speaker rules that it does not change the title and is in order.

Amendment No. 1 is adopted by electronic vote (88-12).

The bill, as amended, fails to pass its second reading by electronic vote (47-50).

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1492, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES MELVIN CREECY, FORMER MEMBER OF THE GENERAL

ASSEMBLY, which passed the Senate by a two-thirds majority vote as required by Resolution 15 of the Session Laws of the 1995 General Assembly.

The resolution is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan, seconded by Representative Easterling, the House adjourns at 5:49 p.m. to reconvene June 18 at 4:00 p.m.

ONE HUNDRED THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1996

The House meets at 4:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, these good people have already put in a day's work in committee, and so I guess that I should thank You for the strength that You have already given, and for the gift of accommodation because I expect that they have had to accept some second choices. The apostle Paul said it for us, '...for I have learned in whatever state I am therewith to be content'. (Philippians 4:11) The ability to accept life's second best. Good advice for life and politics. In this legislative process, the word compromise surely is a celebrity. Whose bill ever gets passed just as they wanted it? Whose marriage is just like they wanted it, or job, or looks, or ability? Sure, Father, I know that there are some places that we must have perfection, like music, sterile technique in surgery, hitting the return window on a space flight. But, structural human relationships and societal guidelines seem to keep changing. And, sometimes our best efforts just don't work out the way we wanted them to at all. Like one time at Pastor's Conference, some speaker scolded us for spending too much time doing church and neglecting our wives. And so, on the way home I dropped by the florist and bought my wife some flowers. To emphasize the specialness of what I was doing, I went to the front door. When she opened the door, I presented the flowers. Instead of smiling and accepting my kiss, she burst out crying. 'This has been a terrible day, the clothesline broke and messed up all my wash, the phone has rung all day, the baby painted lipstick all over the bedroom wall, the cat caught the goldfish, and now you

have come home drunk.' That's why we have marriage counselors, conferees, and committees. Maneuver, lobby, amend, use parliamentary procedure, pray, bring flowers, and you still may end up with a hand shake instead of a kiss. Easier said than done I know, but, I think that this is getting close to what the apostle meant. We may be doing some of this as this session winds down, and so, Father, give us grace. If we can't go to Troas, help us to be happy with Macedonia. Through Christ our Lord, Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (107-1).

Leaves of absence are granted Representatives Blue, G. Miller, and G. Robinson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 1246, AN ACT TO REPEAL A SECTION OF THE CHARTER OF THE TOWN OF LANDIS RELATING TO ABC IN CONFLICT WITH GENERAL LAW. (CHAPTER 564)

S.J.R. 1489, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE LEGISLATOR. (RESOLUTION 20)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Daughtry for the Committee on Judiciary I:

Committee Substitute for **H.B. 1139**, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE REVIEW OF GRIEVANCES FILED BY STATE EMPLOYEES AND APPLICANTS FOR STATE EMPLOYMENT, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 1243, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW FELONY OFFENSE OF ASSAULT INFLICTING SERIOUS BODILY INJURY AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1240, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

H.B. 1375, A BILL TO BE ENTITLED AN ACT RELATING TO COLUMBUS COUNTY AND THE MUNICIPALITIES THEREIN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 19. The original bill is placed on the Unfavorable Calendar.

S.B. 1280, A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT IN WILSON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1399, A BILL TO BE ENTITLED AN ACT AUTHORIZING COLUMBUS COUNTY TO ENTER INTO LEASES FOR TERMS NOT LONGER THAN TWENTY YEARS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 1412, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE "NO WAKE ZONE" WITHIN ONE HUNDRED FIFTY YARDS OF SEAFOOD WORLD IN TOPSAIL SOUND AND TO REPEAL THE PROHIBITION ON "NO WAKE ZONES" IN PENDER COUNTY, with a

favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 19.

Committee Substitute for **S.B. 1396**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADVISORY COMMITTEE LAW AND THE OMBUDSMAN LAW AS IT AFFECTS NEW HANOVER COUNTY, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 19. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1132, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN CURRITUCK COUNTY BEFORE THE ISSUANCE BY THE COUNTY OF SUBDIVISION APPROVAL, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 19. The original bill is placed on the Unfavorable Calendar.

By Representatives Howard and Berry, Co-Chairs, for the Committee on Welfare Reform and Human Resources:

H.B. 1452, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MARRIAGES CONTRACTED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative J. Brown for the Committee on Agriculture:

S.B. 1286, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE FORESTRY COUNCIL OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND

REDEFINE ITS RESPONSIBILITIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 1307, A BILL TO BE ENTITLED AN ACT REGARDING MITCHELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H.B. 1309, A BILL TO BE ENTITLED AN ACT REGARDING AVERY COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 19. The original bill is placed on the Unfavorable Calendar.

H.B. 1436, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 19. The original bill is placed on the Unfavorable Calendar.

H.J.R. 1454, A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF GRANVILLE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar.

S.B. 296, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE

LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 19. The original bill is placed on the Unfavorable Calendar.

S.B. 540, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute No. 2 for **S.B. 709**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSOLIDATION OF HUMAN SERVICES BY COUNTIES, TO MAKE PROVISIONS RELATIVE TO THE STATE AND FEDERAL FUNDING STREAMS FOR CONSOLIDATED HUMAN SERVICES FUNCTIONS, TO PROVIDE THAT THE MEMBERSHIP OF A CONSOLIDATED HUMAN SERVICES BOARD SHALL BE APPOINTED SOLELY BY THE BOARD OF COUNTY COMMISSIONERS, AND TO CHANGE THE STATUS OF COUNTY EMPLOYEES OF A CONSOLIDATED COUNTY HUMAN SERVICES AGENCY WITH REGARD TO THEIR COVERAGE UNDER THE STATE PERSONNEL ACT, with a favorable report as to House Committee Substitute Bill No. 3, unfavorable as to House Committee Substitute Bill No. 2.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 3 is placed on the Calendar for June 19. House Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

S.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP PREFERRED PROVIDER ORGANIZATIONS, HEALTH MAINTENANCE ORGANIZATIONS, AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

Senate Committee Substitute for **S.B. 905**, A BILL TO BE ENTITLED AN ACT TO AFFECT THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S.B. 1113, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE FOR THE OATH OF OFFICE FOR MEMBERS OF THE RICHMOND COUNTY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1360, A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A CORRECTIONAL FACILITY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.J.R. 1485, A JOINT RESOLUTION HONORING THE MEMORY OF JAMES GORDON HANES, JR., FORMER STATE SENATOR AND INDUSTRIALIST, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar for June 19.

S.J.R. 1486, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GOVERNOR JOHN MOTLEY MOREHEAD ON THE TWO HUNDREDTH ANNIVERSARY OF HIS BIRTH, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar for June 19.

By Representative Neely for the Committee on Judiciary II:

H.B. 1244, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT APPEAL BONDS ARE POSTED WITH THE CLERK OF THE

APPELLATE COURT IN CONFORMANCE WITH THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE AND TO CLARIFY THAT THE UNDERTAKING ON APPEAL MUST BE IN WRITING, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1262, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

The bill is re-referred to the Committee on Appropriations, Subcommittee on Justice and Public Safety.

H.B. 1320, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT OF CERTIFIED MAIL NOTICE IN BOND FORFEITURE CASES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SPECIAL MESSAGE FROM THE SENATE SECOND SESSION 1996

SENATE CHAMBER
June 17, 1996

Mr. Speaker:

Pursuant to your message received Friday, June 14, 1996, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 1100**, (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE

EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST, and requests conferees, the President Pro Tempore appoints:

Senator Winner

Senator Conder

Senator Hobbs

Senator Plexico

Senator Little

Senator Ballantine

Senator Edwards

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Sylvia M. Fink

Principal Clerk

**SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996**

SENATE CHAMBER

June 18, 1996

Mr. Speaker:

Pursuant to your Message received Friday, June 14, 1996, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 1108**, (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, and requests conferees, the President Pro Tempore appoints:

Senator Perdue

Senator Odom

Senator Kerr

Senator Hoyle

Senator Warren

Senator Ballance

Senator Sherron
Senator Conder
Senator Rand
Senator Martin of Guilford
Senator Martin of Pitt
Senator Plexico

Senator Cooper
Senator Gulley
Senator Little
Senator Hartsell
Senator Jordan

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 540**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF EIGHT HUNDRED MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 19.

Upon concurrence, the Senate committee substitute changes the title.

The Speaker rules the Senate committee substitute to be material, thus constituting its first reading.

S.J.R. 1493, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A WATER RESOURCES DEVELOPMENT PROJECT AT KURE BEACH, which passed the Senate by a two-thirds majority vote as required by Resolution 15 of the Session Laws of the 1995 General Assembly.

The resolution is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1411, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIA-

TIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, is read the first time and referred to the Committee on Appropriations, Subcommittee on Education.

Committee Substitute for **S.B. 1375**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF ELECTION OF THE WHITEVILLE CITY BOARD OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government I.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 41, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, with an indefinite postponement report.

H.J.R. 46, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WATER ISSUES, with an indefinite postponement report.

H.B. 60, A BILL TO BE ENTITLED AN ACT TO CREATE A STUDY COMMISSION ON STATE PARKS AND RECREATION AREAS, with an indefinite postponement report.

H.J.R. 73, A JOINT RESOLUTION DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF REPRESENTATION OF EXTRATERRITORIALLY ZONED AREAS, with an indefinite postponement report.

H.B. 76, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A RESERVE FOR STATE ASSISTANCE TO A CENTER FOR THE PROMOTION OF AFRICAN-AMERICAN HERITAGE AND CULTURE IN

NORTH CAROLINA AND TO ESTABLISH AN AFRICAN-AMERICAN HERITAGE AND CULTURE ADVISORY COMMITTEE, with an indefinite postponement report.

H.B. 78, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STUDY COMMISSION ON THE DISPOSITION OF PUBLIC SCHOOL BUILDINGS, with an indefinite postponement report.

H.B. 98, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LONG-TERM CARE INSURANCE, with an indefinite postponement report.

H.B. 132, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CEMETERY COMMISSION AND THE REGULATION OF CEMETERIES IN THIS STATE, with an indefinite postponement report.

H.J.R. 141, A JOINT RESOLUTION SUPPORTING PARTICIPATION IN A CONFERENCE OF THE STATES FOR THE PURPOSE OF RESTORING BALANCE IN THE FEDERAL SYSTEM, with an indefinite postponement report.

H.B. 187, A BILL TO BE ENTITLED AN ACT TO CREATE THE STATE AND LOCAL GOVERNMENT TORT LIABILITY AND IMMUNITY STUDY COMMISSION, with an indefinite postponement report.

H.B. 196, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PERMANENT, INDEPENDENT CONSUMER PROTECTION STUDY COMMISSION, with an indefinite postponement report.

H.B. 215, A BILL TO BE ENTITLED AN ACT TO CREATE THE STUDY COMMISSION ON THE STATE PERSONNEL SYSTEM AND TO APPROPRIATE FUNDS TO THE STUDY COMMISSION, with an indefinite postponement report.

H.B. 217, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE STATUS OF MINORITY MALES STUDY COMMISSION, with an indefinite postponement report.

H.B. 240, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SENTENCING COMMISSION, with an indefinite postponement report.

H.J.R. 246, A JOINT RESOLUTION AUTHORIZING THE

LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY THE REVENUE LAWS OF NORTH CAROLINA, with an indefinite postponement report.

H.J.R. 251, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE JUVENILE CODE, with an indefinite postponement report.

H.B. 255, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JUVENILE CODE COMMITTEE OF THE LEGISLATIVE RESEARCH COMMISSION TO EXTEND THE PILOT PROGRAM FOR CATAWBA, BERTIE, AND MCDOWELL COUNTIES ESTABLISHED UNDER THE ADMINISTRATIVE OFFICE OF THE COURTS REGARDING JUVENILE COURT JURISDICTION OVER JUVENILES BETWEEN SIXTEEN AND EIGHTEEN YEARS OF AGE WHO ARE BEYOND THE DISCIPLINARY CONTROL OF THEIR PARENTS AND TO CLARIFY THE SCOPE OF THE PROGRAM, with an indefinite postponement report.

H.B. 257, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF YOUTH SERVICES TO STUDY AND DEVELOP PROPOSALS DESIGNED TO ENHANCE THE SUCCESS OF YOUTH RELEASED FROM JUVENILE CONFINEMENT FACILITIES, with an indefinite postponement report.

H.J.R. 274, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FAMILY LAW REFORM, with an indefinite postponement report.

H.J.R. 275, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY WAYS TO PROMOTE ENERGY CONSERVATION AND THE USE OF RENEWABLE ENERGY SOURCES IN NORTH CAROLINA, with an indefinite postponement report.

H.B. 282, A BILL TO BE ENTITLED AN ACT TO REAUTHORIZE THE MENTAL HEALTH STUDY COMMISSION, with an indefinite postponement report.

H.B. 302, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY STATE PURCHASING, with an indefinite postponement report.

H.J.R. 310, A JOINT RESOLUTION INVITING THE HONORABLE BURLEY B. MITCHELL, JR., CHIEF JUSTICE OF THE SUPREME COURT, TO ADDRESS A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, with an indefinite postponement report.

H.B. 326, A BILL TO BE ENTITLED AN ACT TO RATIFY THE BALANCED BUDGET AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, with an indefinite postponement report.

Committee Substitute for **H.B. 338**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LEGISLATIVE RESEARCH COMMISSION SHALL STUDY MAKING SEAT BELTS AND AIR BAG INSPECTIONS A PART OF THE ANNUAL MOTOR VEHICLE SAFETY INSPECTION, with an indefinite postponement report.

H.J.R. 348, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE NEED FOR A CORPORATE ALTERNATIVE MINIMUM TAX, with an indefinite postponement report.

H.B. 486, A BILL TO BE ENTITLED AN ACT TO AMEND THE LEGISLATIVE ETHICS ACT TO PROVIDE THAT NO BILL AFFECTING THE TAX ON A PROFESSION OR BUSINESS MAY BE REFERRED TO A STANDING OR SELECT COMMITTEE A MAJORITY OF WHOSE MEMBERS ARE DIRECTLY AFFECTED, OR ARE EMPLOYED BY A PERSON DIRECTLY AFFECTED, BY THAT BILL, with an indefinite postponement report.

Committee Substitute for **H.B. 524**, A BILL TO BE ENTITLED AN ACT TO CREATE THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURE WASTE, with an indefinite postponement report.

Committee Substitute for **H.B. 539**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON ANNEXATION IN BUNCOMBE COUNTY IF REQUESTED BY RESIDENTS OF THE AREA TO BE ANNEXED, with an indefinite postponement report.

Committee Substitute for **H.B. 542**, A BILL TO BE ENTITLED AN ACT TO ALLOW LENDERS TO COLLECT FEES, INTEREST, AND CHARGES FOR CERTAIN LOANS AND EXTENSIONS OF CREDIT IN AMOUNTS AGREED UPON BY THE PARTIES, WITH NO STATUTORY MAXIMUM LIMIT, AND TO AUTHORIZE COMPUTATION OF

REBATES BY THE SIMPLE INTEREST METHOD ON CONTRACTS GOVERNED BY THE RETAIL INSTALLMENT SALES ACT, with an indefinite postponement report.

H.B. 561, A BILL TO BE ENTITLED AN ACT RELATING TO CHOWAN COUNTY, with an indefinite postponement report.

H.B. 562, A BILL TO BE ENTITLED AN ACT RELATING TO PERQUIMANS COUNTY, with an indefinite postponement report.

H.B. 563, A BILL TO BE ENTITLED AN ACT RELATING TO DARE COUNTY, with an indefinite postponement report.

H.B. 564, A BILL TO BE ENTITLED AN ACT RELATING TO WASHINGTON COUNTY, with an indefinite postponement report.

H.B. 565, A BILL TO BE ENTITLED AN ACT RELATING TO TYRRELL COUNTY, with an indefinite postponement report.

H.B. 570, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE LEXINGTON UTILITIES COMMISSION, with an indefinite postponement report.

H.B. 586, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR BURKE AND CALDWELL COUNTIES, with an indefinite postponement report.

H.B. 587, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR CALDWELL COUNTY, with an indefinite postponement report.

H.B. 613, A BILL TO BE ENTITLED AN ACT TO ENACT LOCAL LEGISLATION FOR THE WAKE COUNTY SCHOOLS, with an indefinite postponement report.

H.B. 614, A BILL TO BE ENTITLED AN ACT RELATING TO STANLY COUNTY, with an indefinite postponement report.

H.B. 625, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE MORGANTON-LENOIR AIRPORT AUTHORITY AND TO AUTHORIZE THAT AUTHORITY TO CREATE, OPERATE, AND MAINTAIN AN INDUSTRIAL PARK, with an indefinite postponement report.

H.B. 629, A BILL TO BE ENTITLED AN ACT TO CHANGE ELECTIONS IN THE CITY OF LINCOLNTON, with an indefinite postponement report.

H.B. 635, A BILL TO BE ENTITLED AN ACT TO CREATE A COMMISSION TO EXAMINE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO RECOMMEND CHANGES IN THE DEPARTMENT, with an indefinite postponement report.

H.B. 671, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENTS IN ALAMANCE COUNTY, with an indefinite postponement report.

H.B. 672, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENTS IN CASWELL COUNTY, with an indefinite postponement report.

H.B. 678, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENTS IN ROCKINGHAM COUNTY, with an indefinite postponement report.

H.B. 681, A BILL TO BE ENTITLED AN ACT RELATING TO DUPLIN COUNTY AND THE MUNICIPALITIES THEREIN, with an indefinite postponement report.

H.B. 683, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE COUNTY OF NASH, with an indefinite postponement report.

Committee Substitute for **H.B. 684,** A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE TO STUDY WHETHER THE EXTENSION OF AN INTERSTATE NATURAL GAS PIPELINE SHOULD BE ENCOURAGED BY EXEMPTING GENERATION FACILITIES SERVED BY THAT PIPELINE FROM REGULATION AS PUBLIC UTILITIES, with an indefinite postponement report.

H.B. 685, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE AGING STUDY COMMISSION TO STUDY THE ISSUE OF HOW TO ENSURE THAT DOMICILIARY CARE FACILITIES FOLLOW PHYSICIANS' ORDERS, with an indefinite postponement report.

H.B. 687, A BILL TO BE ENTITLED AN ACT RELATING TO JOHNSTON COUNTY, with an indefinite postponement report.

H.B. 709, A BILL TO BE ENTITLED AN ACT RELATING TO THE MACON COUNTY BOARD OF COMMISSIONERS, with an indefinite postponement report.

H.B. 715, A BILL TO BE ENTITLED AN ACT RELATING TO JOHNSTON COUNTY, with an indefinite postponement report.

H.B. 716, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MECKLENBURG ROOM OCCUPANCY TAX AND PROVIDE FOR ESTABLISHMENT OF A TRAVEL DEVELOPMENT AUTHORITY, with an indefinite postponement report.

H.B. 726, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING HARNETT COUNTY, with an indefinite postponement report.

H.B. 727, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING HARNETT COUNTY, with an indefinite postponement report.

H.B. 728, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING HARNETT COUNTY, with an indefinite postponement report.

Committee Substitute for **H.B. 745**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE NORTH CAROLINA STUDY COMMISSION ON AGING TO STUDY THE ADMINISTRATIVE PENALTIES FOR DOMICILIARY FACILITIES AND NURSING HOME FACILITIES, with an indefinite postponement report.

Committee Substitute for **H.B. 757**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ENACTMENT OF A PLANNED COMMUNITY ACT, with an indefinite postponement report.

Committee Substitute for **H.B. 847**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REGULATION OF MONUMENT CONTRACTORS, with an indefinite postponement report.

H.B. 854, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PERMANENT STATUTORY STUDY COMMISSION ON FISCAL TRENDS, with an indefinite postponement report.

H.J.R. 872, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF GRANDPARENT VISITATION, with an indefinite postponement report.

H.J.R. 883, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LOCAL GOVERNMENT REVENUE OPTIONS SUBJECT TO LOCAL REFERENDUM, with an indefinite postponement report.

Committee Substitute for **H.B. 926,** A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REGISTRATION OF ESTHETICIANS AND ESTHETICIAN APPRENTICES BY THE STATE BOARD OF COSMETIC ART EXAMINERS, with an indefinite postponement report.

H.B. 948, A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO STUDY THE EFFECT OF WITHDRAWAL FROM THE ATLANTIC STATES MARINE FISHERIES COMPACT, with an indefinite postponement report.

H.B. 966, A BILL TO BE ENTITLED AN ACT TO FURTHER DEFINE CONFLICTS OF INTEREST, with an indefinite postponement report.

Committee Substitute for **H.J.R. 977,** A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LOCAL GOVERNMENT IN NORTH CAROLINA, with an indefinite postponement report.

H.J.R. 980, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATING TO THE ETHICS OF LEGISLATORS, with an indefinite postponement report.

H.R. 1002, A HOUSE RESOLUTION URGING NORTH CAROLINA'S CONGRESSIONAL DELEGATION TO MAKE EVERY EFFORT TO ENSURE THE TRANSFER OF THE F-18 AIRCRAFT WING FROM THE NAVAL AIR STATION CECIL FIELD, FLORIDA, TO THE MARINE CORPS AIR STATION CHERRY POINT, NORTH CAROLINA, with an indefinite postponement report.

H.J.R. 1050, A JOINT RESOLUTION REPEALING A JOINT RESOLUTION CALLING FOR A FEDERAL CONSTITUTIONAL

CONVENTION TO PROPOSE A BALANCED BUDGET AMENDMENT, with an indefinite postponement report.

Committee Substitute for **H.B. 1067**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REQUIREMENT THAT A MOBILE HOME LIEN-HOLDER PAY CURRENT AND PAST DUE PROPERTY TAXES BEFORE OBTAINING A MOBILE HOME MOVING PERMIT, with an indefinite postponement report.

H.R. 1070, A HOUSE RESOLUTION COMMENDING THE ELVIE STREET SCHOOL IN THE CITY OF WILSON FOR ITS PARTICIPATION IN STATE GOVERNMENT, with an indefinite postponement report.

H.J.R. 1167, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WAYS TO FACILITATE GREATER COOPERATION BETWEEN THE PUBLIC AND NONPROFIT SECTORS AND TO FOSTER THE GROWTH OF THE NONPROFIT SECTOR, with an indefinite postponement report.

The bills reported from the Committee on Rules, Calendar, and Operations of the House with an indefinite postponement report are placed on the Unfavorable Calendar.

MOTION TO RECONSIDER VOTE

Representative Watson, having voted with the prevailing side, moves that the vote by which Committee Substitute for **H.B. 1174**, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 40A GOVERNING CONDEMNATION TO AUTHORIZE AWARD OF ATTORNEYS' FEES AND INTRODUCTION OF ADDITIONAL EVIDENCE OF PROPERTY VALUE IN CERTAIN CONDEMNATION ACTIONS, failed to pass its second reading be reconsidered. The motion fails by electronic vote (51-62).

CALENDAR

Action is taken on the following:

S.B. 1267, A BILL TO BE ENTITLED AN ACT TO ADD NEW HANOVER COUNTY TO THOSE COUNTIES IN WHICH A TENANT'S REFUSAL TO PERFORM A CONTRACT FOR THE RENTAL OF LAND IS GROUNDS FOR DISPOSSESSION, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 111.

Voting in the negative: Representative Cunningham.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

H.B. 1145, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

Committee Substitute for **H.B. 1211,** A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF KILL DEVIL HILLS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson,

Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

H.B. 1379, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

H.B. 1306, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson,

Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

Committee Substitute for **H.B. 1314**, A BILL TO BE ENTITLED AN ACT TO ALLOW HALIFAX, NASH AND WILSON COUNTIES TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

H.B. 1366, A BILL TO BE ENTITLED AN ACT TO REVISE AND

CONSOLIDATE THE CHARTER OF THE CITY OF WASHINGTON, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

Committee Substitute for **H.B. 1370**, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

H.B. 1412, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1176, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser,

Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 115.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

H.B. 1289, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

Representative Kiser offers Amendment No. 1 which is adopted by electronic vote (113-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 113.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

H.B. 1272, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE.

Representative Mitchell offers Amendment No. 1 which is adopted by electronic vote (109-1).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Crawford, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

H.B. 1328, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SANFORD GOLF COMMISSION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1210, A BILL TO BE ENTITLED AN ACT CLARIFYING THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF THE DARE COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1357**, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ANNEXATION OF THE EDENTON AIRPORT FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN OF EDENTON, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

S.B. 1245, A BILL TO BE ENTITLED AN ACT CONCERNING THE DEFINITION OF SUBDIVISION FOR THE TOWN OF ROSE HILL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 1275**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF AND TO PROMOTE ECONOMIC DEVELOPMENT.

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (76-34).

Representative Wainwright requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (77-34).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Bowie, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill,

Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Alexander, Barnes, Boyd-McIntyre, Cunningham, Easterling, Fitch, Gamble, Hackney, Hensley, Lee, Luebke, McAllister - 12.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

Representative Boyd-McIntyre requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (104-11).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1179, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 101.

Voting in the negative: Representatives Allred, Carpenter, Davis, Earle, Easterling, Hensley, Kiser, Linney, Luebke, J. Robinson, and Sherrill - 11.

Excused absences: Representatives Blue, G. Miller, and K. Miller - 3.

On motion of the Chair, the House recesses at 5:11 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1404, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS AND TO REIMBURSE COUNTIES AND CITIES FOR THE RESULTING REVENUE LOSS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

House Committee Substitute for **S.B. 323**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OBSERVERS AT A PRECINCT'S VOTING PLACE NEED NOT BE REGISTERED VOTERS IN THAT PRECINCT BUT SHALL BE REGISTERED VOTERS IN THE COUNTY AND TO AMEND THE LAW GOVERNING ACCESS TO VOTER REGISTRATION INFORMATION, with a favorable report as to House Committee Substitute Bill No. 2, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 507, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PERMIT THE CITY COUNCIL TO SPECIALLY ASSESS BENEFITED PROPERTY FOR THE COST OF EXTENDING WATER AND SEWER LINES TO PROPERTY LOCATED OUTSIDE OF THE CITY LIMITS WHEN REQUESTED BY THE BOARD OF COMMISSIONERS OF DURHAM COUNTY WITHOUT THE NECESSITY OF A PETITION FOR SUCH IMPROVEMENTS BEING SUBMITTED, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 662,** A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO CREATE FIRE PROTECTION DISTRICTS IN WHICH FIRE PROTECTION IS FUNDED BY FEES RATHER THAN TAXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 684, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF DURHAM TO AUTHORIZE THE MAKING OF EMERGENCY REPAIRS TO NONRESIDENTIAL BUILDINGS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 19.

S.B. 1094, A BILL TO BE ENTITLED AN ACT TO INCREASE CERTAIN FEES UNDER THE NURSING HOME ADMINISTRATOR ACT, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Wood for the Committee on Education:

S.B. 1161, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT AND MONITOR THE PLAN FOR THE TRANSFER OF CREDITS BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1324, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REGULAR PERIOD OF POST-RELEASE SUPERVISION FROM SIX TO NINE MONTHS, TO EXTEND THE PERIOD OF POST-RELEASE SUPERVISION TO FIVE YEARS FOR SEX OFFENDERS AND TO PROVIDE FOR SPECIAL CONDITIONS OF POST-RELEASE SUPERVISION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF MINORS, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 19. The original bill is placed on the Unfavorable Calendar.

S.B. 1123, A BILL TO BE ENTITLED AN ACT TO CORRECT INADVERTENT ERRORS IN THE 1994 LEGISLATION DESIGNED TO BRING NORTH CAROLINA INTO COMPLIANCE WITH THE NATIONAL VOTER REGISTRATION ACT; TO SPECIFY THE KINDS OF INFORMATION THAT THE COUNTY BOARDS OF ELECTIONS SHALL PROVIDE TO THE PUBLIC FROM ITS VOTER REGISTRATION FILES AND AT WHAT COSTS; TO REQUIRE THE UPDATING OF VOTER REGISTRATION RECORDS TO REFLECT ADDRESS CHANGES RESULTING FROM EXTENDED 911 SYSTEMS; TO REQUIRE COUNTY BOARDS OF ELECTIONS TO PROVIDE TO THE STATE BOARD OF ELECTIONS SPECIFIED INFORMATION ABOUT CANDIDATES AND ELECTION RESULTS; AND TO INCREASE THE RESTRICTIONS ON ELECTIONEERING AROUND THE POLLING PLACE ON ELECTION DAY, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

SUBCOMMITTEE REFERRAL

Representative Miner, Chair for the Standing Committee on Transportation, refers **S.B. 1294**, A BILL TO BE ENTITLED AN ACT TO CONFORM THE MOTOR VEHICLE LAWS TO THE FEDERAL DEREGULATION OF TRUCKING AND TO MAKE TECHNICAL CHANGES TO THE MOTOR VEHICLE LAWS, to the Permanent Subcommittee on Highways.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1242**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS.

Representative Shubert offers Amendment No. 1 which is adopted by electronic vote (93-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Justus, Kiser, Lee, Linney, Locke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 99.

Voting in the negative: None.

Excused absences: Representatives Blue, G. Miller, K. Miller, and Nichols - 4.

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF DARE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley,

Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Capps, and Davis - 3.

Excused absences: Representatives Blue, G. Miller, K. Miller, and Nichols - 4.

Committee Substitute for **H.B. 1234**, A BILL TO BE ENTITLED AN ACT TO ALLOW MARTIN, PERSON, AND VANCE COUNTIES TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Justus, Kiser, Lee, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: Representatives Allred, Capps, Davis, and Linney - 4.

Excused absences: Representatives Blue, G. Miller, K. Miller, and Nichols - 4.

H.B. 1413, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR A MAGNET TECHNICAL HIGH SCHOOL FOR USE BY ITS COUNTY BOARD OF EDUCATION.

Representative Sharpe offers Amendment No. 1.

On motion of the Chair, the bill with pending Amendment No. 1 is temporarily displaced.

H.B. 1313, A BILL TO BE ENTITLED AN ACT TO ALLOW WILSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Justus, Kiser, Lee, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 99.

Voting in the negative: Representatives Allred, Capps, Davis, and Linney - 4.

Excused absences: Representatives Blue, G. Miller, K. Miller, and Nichols - 4.

Committee Substitute for **H.B. 1355**, A BILL TO BE ENTITLED AN ACT TO EXTEND UP TO TWENTY YEARS THE PERIOD TO REPAY SPECIAL ASSESSMENTS IN THE CITY OF FAYETTEVILLE AND TO ALLOW CUMBERLAND COUNTY TO ACQUIRE PROPERTY FOR A HIGH SCHOOL AND A MIDDLE SCHOOL FOR USE BY ITS COUNTY BOARDS OF EDUCATION, UNLESS THE VOTERS APPROVE STATE GENERAL OBLIGATION BONDS FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS.

On motion of Representative Hurley, the bill is temporarily displaced.

Pursuant to Rule 36.1, the fiscal note requested on June 13 by Representative Creech is received and attached to **H.B. 1447**, A BILL TO BE

ENTITLED AN ACT TO REQUIRE THE SECRETARY OF ADMINISTRATION TO SET BUSINESS SIZE STANDARDS AND APPLY THEM TO THE PROCUREMENT PROCEDURES TO PROMOTE INCREASED PROCUREMENTS FROM SMALL AND MEDIUM-SIZED BUSINESSES. The bill is placed on today's Calendar.

Representative Shaw offers Amendment No. 1 which is adopted by electronic vote (99-7).

The bill, as amended, fails to pass its second reading by electronic vote (43-59).

Representative Davis states that his voting equipment malfunctioned and he requests to be recorded as voting "no". This request is granted. The adjusted vote total is (43-60).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1294, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO REQUIRE ALL STATE AGENCIES THAT DEAL WITH CHILD HEALTH AND WELFARE TO REPORT DATA COLLECTION TO THE CHILD FATALITY TASK FORCE, passes its second reading, by electronic vote (99-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1413, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR A MAGNET TECHNICAL HIGH SCHOOL FOR USE BY ITS COUNTY BOARD OF EDUCATION, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Representative Sharpe withdraws Amendment No. 1.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Carpenter, Clary, Cocklereece, Crawford, Creech, Culpepper, Cummings, Cunningham,

Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, McAllister, McComas, McCombs, McLaughlin, McMahan, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 95.

Voting in the negative: Representatives Allred, Capps, Davis, and Linney - 4.

Excused absences: Representatives Blue, Bowie, Culp, Esposito, Luebke, G. Miller, K. Miller, and Nichols - 8.

Committee Substitute for **H.B. 1355**, A BILL TO BE ENTITLED AN ACT TO EXTEND UP TO TWENTY YEARS THE PERIOD TO REPAY SPECIAL ASSESSMENTS IN THE CITY OF FAYETTEVILLE AND TO ALLOW CUMBERLAND COUNTY TO ACQUIRE PROPERTY FOR A HIGH SCHOOL AND A MIDDLE SCHOOL FOR USE BY ITS COUNTY BOARDS OF EDUCATION, UNLESS THE VOTERS APPROVE STATE GENERAL OBLIGATION BONDS FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, which was temporarily displaced, is before the Body.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Beall, Berry, Black, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Clary, Cocklereece, Crawford, Creech, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lemmond, McComas, McCombs, McMahan, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 88.

Voting in the negative: Representatives Allred, Capps, Carpenter, Davis, Ellis, Kiser, Linney, McAllister, McLaughlin, and Warner - 10.

Excused absences: Representatives Blue, Bowie, Culp, Esposito, Luebke, G. Miller, K. Miller, and Nichols - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 986**, A BILL TO BE ENTITLED AN ACT TO REDUCE THE WHITE GOODS DISPOSAL TAX RATE BY APPROXIMATELY THIRTY-THREE PERCENT AND TO PROVIDE THAT WHITE GOODS TAX REVENUE THAT IS NOT NEEDED FOR THE MANAGEMENT OF DISCARDED WHITE GOODS MAY BE USED TO CLEAN UP ILLEGAL DUMP SITES, passes its second reading, by electronic vote (67-34), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1296**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE THIRTY-DAY TAX PROTEST RULE AND ALLOW A TAXPAYER TO REQUEST A REFUND OF CERTAIN ILLEGAL TAXES ANYTIME WITHIN THREE YEARS AFTER THE TAX WAS DUE OR SIX MONTHS AFTER PAYING THE TAX, WHICHEVER IS LATER, passes its second reading, by electronic vote (96-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1287**, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by

Special Message.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **H.B. 1267**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED LIMITS UP TO SEVENTY MILES PER HOUR ON DESIGNATED PARTS OF CONTROLLED ACCESS HIGHWAYS AND TO PROVIDE FOR SUSPENSION OF THE LICENSE OF A PERSON DRIVING IN EXCESS OF SEVENTY-NINE MILES PER HOUR, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 821**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW RELATING TO THE PRENEED SALES OF FUNERAL MERCHANDISE.

Representative H. Hunter requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 1181, A BILL TO BE ENTITLED AN ACT TO ALLOW UTILITY POLES CARRIED ON SIDE-LOADERS TO EXTEND MORE THAN THREE FEET BEYOND THE FRONT BUMPER OF THE VEHICLE, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from permanent subcommittee is presented:

By Representative Allred for the Permanent Subcommittee on Economic Expansion and Growth of the Standing Committee on Business and Labor, with approval of standing committee chair for report to be made directly to the floor of the House:

H.B. 1064, A BILL TO BE ENTITLED AN ACT TO RESTORE THE TAX BURDEN ON THE WEALTHY IN ORDER TO HELP EDUCATION AND REDUCE THE FOOD TAX, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

S.B. 1487, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MARRIAGES RECOGNIZED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID, is read the first time and referred to the Committee on Welfare Reform and Human Resources.

S.B. 1400, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM TWO YEARS TO FOUR YEARS, is read the first time and referred to the Committee on Local and Regional Government I.

RE-REFERRALS

On motion of Representative Watson, pursuant to Rule 39.2 and without objection, **S.B. 1244**, A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF WALLACE A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Finance.

On motion of Representative Hiatt and without objection, **H.B. 1065**, A

BILL TO BE ENTITLED AN ACT TO REFORM CORPORATE WELFARE AND OTHER TAX EXPENDITURES, is withdrawn from the Committee on Business and Labor, Subcommittee on Travel and Tourism, and re-referred to the Committee on Business and Labor.

NOTICE OF INTENT TO WITHDRAW BILL FROM COMMITTEE

Representative Edwards gives notice, pursuant to Rule 39, of his intent to recall **H.B. 1312**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MEDICAL SAVINGS ACCOUNT PLANS THE CONTRIBUTIONS TO WHICH ARE DEDUCTIBLE FROM STATE TAXES UNDER CERTAIN CIRCUMSTANCES, from the Committee on Finance.

RE-REFERRALS

On motion of Representative Daughtry, pursuant to Rule 39.2 and without objection, **H.B. 1346**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT OTHER HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is withdrawn from the Committee on Judiciary I and re-referred to the Committee on Health and Environment.

On motion of Representative Morgan and without objection, **S.B. 375**, A BILL TO BE ENTITLED AN ACT TO ENLARGE THE MEMBERSHIP OF THE STANLY COUNTY ECONOMIC DEVELOPMENT COMMISSION, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, **S.B. 580**, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ALBEMARLE CONCERNING ASSESSMENTS FOR STREET IMPROVEMENTS, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, Committee Substitute for **S.B. 598**, A BILL TO BE ENTITLED AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY, is withdrawn from the Committee on Local and Regional Government II and re-referred to the

Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, **S.B. 600**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED FOUR-YEAR TERMS FOR MEMBERS OF THE STANLY COUNTY BOARD OF COMMISSIONERS, is withdrawn from the Committee on Local and Regional Government I and re-referred to the Committee on Rules, Calendar, and Operations of the House.

Representative Morgan moves, seconded by Representative H. Hunter, that the House adjourn, subject to the receipt of committee reports and Messages from the Senate, to reconvene June 19 at 2:00 p.m. The motion carries.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Berry and Howard, Co-Chairs, for the Committee on Welfare Reform and Human Resources:

S.B. 1487, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MARRIAGES RECOGNIZED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 19.

SPECIAL MESSAGE FROM THE SENATE SECOND SESSION 1996

SENATE CHAMBER
June 18, 1996

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in House Amendment No. 1 to **S.B. 1173**, (Committee Substitute) A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO

OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, and requests conferees. The President Pro Tempore appoints:

Senator Winner

Senator Plexico

Senator Foxx

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

S.B. 1122, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET ON DESIGNATION OF EMPLOYMENT SECURITY COMMISSION OFFICES AS VOTER REGISTRATION AGENCIES AND TO PROVIDE FOR FUNDING, is read the first time and referred to the Committee on Judiciary II.

S.J.R. 1490, A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF GRANVILLE COUNTY, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Senate Committee Substitute for **H.B. 910**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 19.

H.B. 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, is returned for concurrence in Senate amendment and placed on the Calendar for June 19.

Senate Committee Substitute for **H.B. 361**, A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 19.

Upon concurrence, the Senate committee substitute changes the title.

S.B. 1270, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED LIMITS UP TO SEVENTY MILES PER HOUR ON DESIGNATED PARTS OF CONTROLLED ACCESS HIGHWAYS AND TO PROVIDE FOR SUSPENSION OF THE LICENSE OF A PERSON DRIVING IN EXCESS OF 80 MILES PER HOUR, is read the first time and referred to the Committee on Transportation.

The House stands adjourned at 8:50 p.m.

ONE HUNDRED THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1996

The House meets at 2:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, it's kinda' hard to pull up short in the middle of a busy day and pray. It's like calling a little boy in off his bicycle to wash his face. These good folks have been hard at it, frustration, aggravation, some success, and some stalemate, too. But enjoying it all, I believe, with mixed comfort and pain like removing a rock that has lodged in your shoe. Which reminds me:

'Five years old and an open barn door,

And a little boy said, "Boo!"

Then a Jersey bull jumped,

Where I would have stood,

Except for a stone in my shoe.

Sixteen now and my first car,
Rebuilt to look like new,
And a broken tie-rod end would
Have gone unseen,
Except for a stone in my shoe.

Eighteen now and a world at war,
And a machine gun hid from view.
Then the bullets whizzed
Where I would have been,
Except for the stone in my shoe.

Back home again, too quick in love
With a sweet little thing called Sue,
And I would never have seen her wink at my friend,
Except for a stone in my shoe.

But I married a girl,
With a strawberry curl,
And eyes all grayish and blue
But all this I would have missed
By a horrible twist,
Except for a stone in my shoe.

Then our baby was gone, in the woods all alone,
And we searched the whole night through,
And I never would have seen him asleep 'neath
that bush,
Except for the stone in my shoe.

Life has come full grown, and
Is getting near gone,
And You blessed me the whole way through,
For the pain made me kneel
And look up in Your face,
While getting the stone, You placed in my shoe.'

And so, Father, we never know what chance acquaintance, or interruption, or pain may mean. You may just have put a stone in our shoe to bless us. The Psalmist said it like this:

'Thou hast dealt well with Thy servant, O Lord,
according unto thy word...It was good for me that

I have been afflicted; that I might learn Thy statutes.' (Psalm 119:65, 71)

Thank you Father. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (104-0).

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 1245, AN ACT CONCERNING THE DEFINITION OF SUBDIVISION FOR THE TOWN OF ROSE HILL. (CHAPTER 565)

S.B. 1267, AN ACT TO ADD NEW HANOVER COUNTY TO THOSE COUNTIES IN WHICH A TENANT'S REFUSAL TO PERFORM A CONTRACT FOR THE RENTAL OF LAND IS GROUNDS FOR DISPOSSESSION. (CHAPTER 566)

H.B. 1081, AN ACT TO MODIFY THE MEMBERSHIP, QUALIFICATIONS FOR APPOINTMENT, AND TERMS OF THE TRUSTEES FOR ALBEMARLE HOSPITAL IN PASQUOTANK COUNTY. (CHAPTER 567)

H.B. 1133, AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT IN PASQUOTANK COUNTY. (CHAPTER 568)

H.B. 1136, AN ACT TO ALLOW CRAVEN COUNTY AND THE CITIES OF NEW BERN AND HAVELOCK TO DONATE UNCLAIMED BICYCLES TO CHARITY. (CHAPTER 569)

H.B. 1185, AN ACT TO PROVIDE STAGGERED TERMS FOR MEMBERS OF THE BOARD OF COMMISSIONERS OF THE TOWN OF LUMBER BRIDGE AND PROVIDE A FOUR-YEAR TERM FOR THE MAYOR. (CHAPTER 570)

H.B. 1298, AN ACT REGARDING REQUIREMENTS FOR SPRINKLER SYSTEMS IN FRATERNITY AND SORORITY HOUSES IN

THE TOWNS OF CHAPEL HILL AND CARRBORO AND THEIR EXTRATERRITORIAL PLANNING JURISDICTIONS. (CHAPTER 571)

H.B. 1339, AN ACT TO IMPROVE WATER QUALITY BY ESTABLISHING A GOAL TO REDUCE THE AVERAGE LOAD OF NITROGEN DELIVERED TO THE NEUSE RIVER ESTUARY FROM POINT AND NONPOINT SOURCES BY A MINIMUM OF THIRTY PERCENT OF THE AVERAGE ANNUAL LOAD FOR THE PERIOD 1991 THROUGH 1995 BY THE YEAR 2001 AND TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DEVELOP A PLAN TO ACHIEVE THIS GOAL, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (CHAPTER 572)

S.B. 1181, AN ACT TO ALLOW UTILITY POLES CARRIED ON SIDE-LOADERS TO EXTEND MORE THAN THREE FEET BEYOND THE FRONT BUMPER OF THE VEHICLE. (CHAPTER 573)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative G. Robinson for the Committee on Business and Labor:

H.B. 1065, A BILL TO BE ENTITLED AN ACT TO REFORM CORPORATE WELFARE AND OTHER TAX EXPENDITURES, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

By Representative Dickson for the Committee on Public Utilities:

H.B. 932, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE AUTHORIZATION OF WEATHER NORMALIZATION CHARGES, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1204, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS F FELONY OFFENSE TO ASSAULT A LAW ENFORCEMENT

OFFICER AND INFLICT SERIOUS BODILY INJURY AND TO CREATE A NEW CRIMINAL OFFENSE OF ASSAULTING A FIREFIGHTER AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON CRIMINAL LAWS, PROCEDURES, AND SENTENCING, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 1286, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

H.B. 1335, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE ADMINISTRATION OF THE GASTONIA POLICEMEN'S SUPPLEMENTAL RETIREMENT FUND AND THE GASTONIA FIREMEN'S SUPPLEMENTAL RETIREMENT FUND FROM THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

The bill is re-referred to the Committee on Pensions and Retirement.

S.B. 1174, A BILL TO BE ENTITLED AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE FILING DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY CONSOLIDATED BOARD OF EDUCATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 1221, A BILL TO BE ENTITLED AN ACT RELATING TO SALES OF SEIZED, UNCLAIMED PROPERTY BY THE CITY OF WINSTON-SALEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1222, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM RELATING TO THE SALE OF PROPERTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1223, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1377, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

S.B. 1378, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO ENTER INTO CONTRACTS TO CONSTRUCT SIDEWALKS WITHIN THE COUNTY'S JURISDICTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1380, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO ACCEPT PAYMENTS IN LIEU OF REQUIRED STREET AND SIDEWALK CONSTRUCTION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 1385, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DETERMINE THE NUMBER OF REGULAR MEETINGS OF THE CITY COUNCIL TO BE HELD EACH MONTH, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1386, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO ALLOW PAYMENT OF ASSESSMENTS OVER A LONGER PERIOD AND AT A REDUCED

INTEREST RATE IN CASES OF SPECIAL FINANCIAL HARDSHIP, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

By Representative Ellis for the Committee on Local and Regional Government I:

H.B. 1422, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, with a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance.

The committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representatives Preston and Grady, Co-Chairs, for the Permanent Subcommittee on Education of the Standing Committee on Appropriations, with approval of standing committee co-chairs for report to be made directly to the floor of the House:

S.B. 1411, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

S.B. 1126, A BILL TO BE ENTITLED AN ACT TO ALLOW THE APPOINTMENT IN CERTAIN CIRCUMSTANCES OF PRECINCT OFFICIALS, OBSERVERS, AND BALLOT COUNTERS FOR A PRECINCT WHO ARE NOT REGISTERED TO VOTE IN THAT PRECINCT, is read the first time and referred to the Committee on Judiciary II.

S.B. 1241, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE", is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1308, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 1189**, A BILL TO BE ENTITLED AN ACT TO ALLOW HYDE, JONES, MARTIN, NEW HANOVER, PITT, SURRY, AND WILSON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, is read the first time and referred to the Committee on Local and Regional Government I.

CALENDAR

Action is taken on the following:

H.B. 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR.

On motion of Representative Thompson, the House concurs in the Senate amendment, by electronic vote (112-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 540**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NINE HUNDRED FIFTY MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND.

On motion of Representative C. Wilson, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 361**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO

PLEDGE BLOCK GRANT FUNDS AS LOAN GUARANTEES PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT.

On motion of Representative G. Robinson, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (114-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 910**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS.

On motion of Representative McAllister, the House does not concur in the Senate committee substitute, by electronic vote (106-6), and conferees are requested.

H.B. 1115, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

H.B. 1145, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS

ANNEXATION INTO THE CITY OF HENDERSON, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

Committee Substitute for **H.B. 1211**, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF KILL DEVIL HILLS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

H.B. 1289, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

H.B. 1379, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker,

Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

H.B. 1272, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

H.B. 1306, A BILL TO BE ENTITLED AN ACT TO REMOVE

CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

Committee Substitute for **H.B. 1314**, A BILL TO BE ENTITLED AN ACT TO ALLOW HALIFAX, NASH AND WILSON COUNTIES TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers,

Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

H.B. 1366, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF WASHINGTON, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

Committee Substitute for **H.B. 1370**, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker,

Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

H.B. 1412, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

S.B. 1176, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 114.

Voting in the negative: None.

Excused absences: None.

S.B. 684, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF DURHAM TO AUTHORIZE THE MAKING OF EMERGENCY REPAIRS TO NONRESIDENTIAL BUILDINGS.

On motion of Representative Morgan, the bill is postponed until June 20.

Committee Substitute for **H.B. 1415**, A BILL TO BE ENTITLED AN ACT TO ALLOW CANDIDATES FOR COUNTY AND MUNICIPAL OFFICE IN WAKE COUNTY TO WITHDRAW UP TO THREE DAYS AFTER THE FILING DEADLINE.

On motion of Representative Capps, the bill is temporarily displaced.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Mitchell and without objection, House Committee Substitute for **S.B. 1396**, A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADVISORY COMMITTEE LAW AND THE OMBUDSMAN LAW AS IT AFFECTS NEW HANOVER COUNTY, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

Committee Substitute for **H.B. 1375**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF ELECTION OF THE WHITEVILLE CITY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1132**, A BILL TO BE ENTITLED AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN CURRITUCK COUNTY BEFORE THE ISSUANCE BY THE COUNTY OF SUBDIVISION APPROVAL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1309**, A BILL TO BE ENTITLED AN ACT TO ADD AVERY COUNTY TO THOSE COUNTIES MAKING IT UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1190, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXTRATERRITORIAL PLANNING JURISDICTION OF THE TOWN OF WALLACE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 1201**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LUMBERTON FIREMEN'S SUPPLEMENTARY PENSION FUND TO INCREASE THE MONTHLY BENEFITS TO ITS MEMBERS, passes its second reading and there being no objection is read a

third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 1412, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE "NO WAKE ZONE" WITHIN ONE HUNDRED FIFTY YARDS OF SEAFOOD WORLD IN TOPSAIL SOUND AND TO REPEAL THE PROHIBITION ON "NO WAKE ZONES" IN PENDER COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for **S.B. 296**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, SUBJECT TO A FINDING BY A MAJORITY OF THE FREEHOLDERS IN THE LAKE ROYALE COMMUNITY.

Representative Creech offers Amendment No. 1.

Representative Ellis inquires of the Chair if the amendment is material. The Speaker rules that it is not.

On motion of Representative Ellis, the bill with pending amendment is temporarily displaced.

Senate Committee Substitute for **H.B. 540**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NINE HUNDRED FIFTY MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND.

Representative C. Wilson moves that the House do concur in the Senate committee substitute.

Representative Linney inquires of the Chair if it is permissible to add local components to public bills and if it is permissible to amend the bill at this stage. The Speaker states that it is permissible to add local components to public bills and the bill cannot be amended as the motion before the Body is concurrence.

Representative C. Wilson calls the previous question on the motion and the call is sustained by electronic vote (83-34).

The House concurs in the material Senate committee substitute, by the following vote, and the bill remains on the Calendar for its third roll call reading.

Those voting in the affirmative are: Speaker Brubaker; Representatives Alexander, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Preston, Pulley, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 91.

Voting in the negative: Adams, Allred, Arnold, Baker, Barnes, Braswell, W. Brown, Carpenter, Culpepper, Davis, Fitch, Fox, Gamble, Gardner, Hackney, Hensley, Kiser, Lee, Linney, Luebke, Michaux, K. Miller, Neely, Pate, Ramsey, and Russell - 26.

Excused absences: None.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Capps and without objection, Committee Substitute for **H.B. 1415**, A BILL TO BE ENTITLED AN ACT TO ALLOW CANDIDATES FOR COUNTY AND MUNICIPAL OFFICE IN WAKE COUNTY TO WITHDRAW UP TO THREE DAYS AFTER THE FILING DEADLINE, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

House Committee Substitute for **S.B. 296**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, SUBJECT TO A FINDING BY A

MAJORITY OF THE FREEHOLDERS IN THE LAKE ROYALE COMMUNITY, which was temporarily displaced with Amendment No. 1 pending, is before the Body.

Amendment No. 1 is adopted by electronic vote (108-1).

Representative Hayes states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (109-1).

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

H.B. 1179, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE.

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Ives, Justus, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: Representatives Carpenter, Davis, Earle, Easterling, Kiser, Linney, Luebke, and J. Robinson - 8.

Excused absences: None.

Committee Substitute for **H.B. 1242**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: None.

Excused absences: None.

H.B. 1205, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF DARE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Decker, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke,

Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, Rogers, Sexton, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 98.

Voting in the negative: Representatives Allred, Capps, Davis, and Linney - 4.

Excused absences: None.

Committee Substitute for **H.B. 1234**, A BILL TO BE ENTITLED AN ACT TO ALLOW MARTIN, PERSON, AND VANCE COUNTIES TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Decker, Dockham, Earle, Eddins, Edwards, Esposito, Fitch, Fox, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 97.

Voting in the negative: Allred, Capps, Davis, and Linney - 4.

Excused absences: None.

H.B. 1413, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR A MAGNET TECHNICAL HIGH SCHOOL FOR USE BY ITS COUNTY BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander,

Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Decker, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Sexton, Sharpe, Sherrill, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 101.

Voting in the negative: Representatives Allred, Capps, Davis, and Linney - 4.

Excused absences: None.

H.B. 1313, A BILL TO BE ENTITLED AN ACT TO ALLOW WILSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Decker, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Capps, Davis, Linney, McComas, and Sexton - 6.

Excused absences: None.

SPEAKER BRUBAKER PRESIDING.

Committee Substitute for **H.B. 1355**, A BILL TO BE ENTITLED AN ACT TO EXTEND UP TO TWENTY YEARS THE PERIOD TO REPAY SPECIAL ASSESSMENTS IN THE CITY OF FAYETTEVILLE AND TO ALLOW CUMBERLAND COUNTY TO ACQUIRE PROPERTY FOR A HIGH SCHOOL AND A MIDDLE SCHOOL FOR USE BY ITS COUNTY BOARDS OF EDUCATION, UNLESS THE VOTERS APPROVE STATE GENERAL OBLIGATION BONDS FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS.

Representative McAllister offers Amendment No. 1 which is adopted by electronic vote (100-5). This amendment changes the title.

The caption having been amended, the bill remains on the Calendar.

House Committee Substitute No. 3 for **S.B. 709**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSOLIDATION OF HUMAN SERVICES BY COUNTIES, TO MAKE PROVISIONS RELATIVE TO THE STATE AND FEDERAL FUNDING STREAMS FOR CONSOLIDATED HUMAN SERVICES FUNCTIONS, TO PROVIDE THAT THE MEMBERSHIP OF A CONSOLIDATED HUMAN SERVICES BOARD SHALL BE APPOINTED SOLELY BY THE BOARD OF COUNTY COMMISSIONERS, AND TO CHANGE THE STATUS OF COUNTY EMPLOYEES OF A CONSOLIDATED COUNTY HUMAN SERVICES AGENCY WITH REGARD TO THEIR COVERAGE UNDER THE STATE PERSONNEL ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barnes, Beall, Berry, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Nye and Rogers - 2.

Excused absences: None.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1141, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO USE DIFFERENT COLOR BORDERS TO DISTINGUISH THE AGE OF LICENSE HOLDERS, THEREBY MAKING IT EASIER TO ISSUE DUPLICATE LICENSES BY MAIL WHEN THE PHOTOGRAPH ON THE ORIGINAL LICENSE IS A DIGITIZED IMAGE, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1182, A BILL TO BE ENTITLED AN ACT TO DELETE THE UNNECESSARY "L" ENDORSEMENT FOR A COMMERCIAL DRIVERS LICENSE, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1183, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, passes its second reading by electronic vote (104-0).

Representative Linney objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1144**, A BILL TO BE ENTITLED AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL AND TO ENUMERATE ITS DUTIES, passes its second reading, by electronic vote

(106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1207**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MAXIMUM PERIOD OF TIME A JUVENILE MAY BE COMMITTED IN ACCORDANCE WITH THE STRUCTURED SENTENCING ACT AS RECOMMENDED BY THE SENTENCING AND POLICY ADVISORY COMMISSION AND TO AMEND THE PROCEDURE FOR COURT-ORDERED TREATMENT OF A JUVENILE TO REQUIRE THE COUNTY TO ARRANGE FOR TREATMENT OF THE JUVENILE WHEN THE PARENT CANNOT AFFORD TO PAY THE COST.

On motion of Representative Baker, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1194**, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEDICARE SUPPLEMENT INSURANCE LAWS TO COMPLY WITH THE FEDERAL SOCIAL SECURITY AMENDMENTS OF 1994 AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES.

Representative Cocklereece offers Amendment No. 1 which is adopted by electronic vote (101-0).

The bill, as amended, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

Representatives Linney and Aldridge state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (105-0).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 1436**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE

RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (105-0).

The bill, as amended, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Committee Substitute for **H.B. 1324**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REGULAR PERIOD OF POST-RELEASE SUPERVISION FROM SIX TO NINE MONTHS, TO EXTEND THE PERIOD OF POST-RELEASE SUPERVISION TO FIVE YEARS FOR SEX OFFENDERS AND TO PROVIDE FOR SPECIAL CONDITIONS OF POST-RELEASE SUPERVISION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF MINORS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

Representative McCrary states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (111-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CONFEREES APPOINTED

The Speaker announces the following conferees on **S.B. 1173**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER: Representatives Buchanan, Chair; R. Hunter, Nichols, Wood, and Baker.

The Senate is so notified by Special Message.

The Speaker announces the following conferees on Senate Committee Substitute for **H.B. 910**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHEN

THEY ARE BICYCLE OPERATORS OR PASSENGERS: Representatives G. Robinson, Chair; Brawley, McAllister, and Mitchell.

The Senate is so notified by Special Message.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees and permanent subcommittees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 1451, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION CONDEMNING ARSON, VANDALISM, AND BOMB THREATS AGAINST PREDOMINANTLY BLACK CHURCHES AND SUPPORTING EFFORTS TO INVESTIGATE AND SOLVE THESE CRIMES, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar for June 20.

H.J.R. 1453, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO RAISE THE PENALTY FOR BURNING OF RELIGIOUS STRUCTURES, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar for June 20.

S.B. 375, A BILL TO BE ENTITLED AN ACT TO ENLARGE THE MEMBERSHIP OF THE STANLY COUNTY ECONOMIC DEVELOPMENT COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

House Committee Substitute for **S.B. 470**, A BILL TO BE ENTITLED AN ACT TO CREATE THE GOOD FUNDS SETTLEMENT ACT, AND TO AMEND THE DEFINITIONS UNDER THE REGISTRATION REQUIREMENTS ACT FOR CERTAIN MAKERS OF MORTGAGES AND DEEDS OF TRUST ON RESIDENTIAL REAL PROPERTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 488, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BUSINESS INFORMATION OFFICE TO ASSIST THE PUBLIC WITH CERTAIN LICENSING PROCEDURES OF THE DEPARTMENT OF MOTOR VEHICLES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 503**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO ISSUE RESTRICTED COMMERCIAL DRIVERS LICENSES TO SEASONAL DRIVERS FOR CERTAIN FARM-RELATED SERVICES INDUSTRIES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 580, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ALBEMARLE CONCERNING ASSESSMENTS FOR STREET IMPROVEMENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

Committee Substitute for **S.B. 598**, A BILL TO BE ENTITLED AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY, with a favorable report, and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 600, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED FOUR-YEAR TERMS FOR MEMBERS OF THE STANLY COUNTY BOARD OF COMMISSIONERS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

S.B. 1409, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIMINAL OFFENSES IN MONTGOMERY COUNTY OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

S.J.R. 1491, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WESLEY DAVIS WEBSTER, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar for June 20.

Representative Morgan reports the following bills with an indefinite postponement report:

H.B. 429, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA AND TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE;

H.B. 753, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF LAW ENFORCEMENT OFFICER FOR THE PURPOSES OF ELIGIBILITY FOR BENEFITS UNDER THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA;

H.B. 785, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE OPEN MEETINGS LAW APPLIES TO ALL PROCEDURES OF THE GENERAL ASSEMBLY INCLUDING THE BUDGET PROCESS;

Committee Substitute for **H.B. 786**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF PROVIDING PROFESSIONAL FIRE-FIGHTERS WITH ENHANCED BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM;

Committee Substitute for **H.B. 839**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ADVISABILITY AND FEASIBILITY OF CONSOLIDATING THE STATE REGULATION OF FINANCIAL INSTITUTIONS INTO A SINGLE AGENCY;

H.J.R. 892, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO PROPOSE AN AMENDMENT TO THE FEDERAL CONSTITUTION TO ENSURE THAT THE RIGHT OF PARENTS TO DIRECT THE

UPBRINGING AND EDUCATION OF THEIR CHILDREN IS NOT INFRINGED;

Committee Substitute for **H.B. 930**, A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY AND MAKE RECOMMENDATIONS CONCERNING DRINKING WATER TESTING REQUIREMENTS AND MINIMIZATION OF THE COST OF DRINKING WATER TESTS;

Committee Substitute for **H.B. 931**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A STUDY OF THE METHOD OF MEASURING AVOIDED COST OF ENERGY TO A UTILITY IN DETERMINING THE RATES PAID BY UTILITIES TO SMALL POWER PRODUCERS;

Committee Substitute for **H.B. 939**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REPEAL OF THE BASIC EDUCATION PROGRAM AND THE OUTCOME-BASED EDUCATION PROGRAM AND TO STUDY WHETHER TO REPLACE THESE PROGRAMS WITH THE REAL EDUCATION PROGRAM;

Committee Substitute for **H.B. 1010**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE STUDY OF THE REGULATION OF RESPIRATORY CARE THERAPY;

H.B. 1051, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON THE EDUCATION INSTRUCTION PRACTICE OF ABILITY GROUPING AND TRACKING OF STUDENTS AND TO APPROPRIATE FUNDS FOR ITS IMPLEMENTATION;

H.B. 1271, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF LOCAL PUBLIC HEALTH AUTHORITIES, AS RECOMMENDED BY THE NORTH CAROLINA PUBLIC HEALTH COMMISSION;

H.B. 1308, A BILL TO BE ENTITLED AN ACT REGARDING CATAWBA COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN;

H.B. 1310, A BILL TO BE ENTITLED AN ACT REGARDING CALDWELL COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN;

H.B. 1311, A BILL TO BE ENTITLED AN ACT REGARDING BURKE COUNTY AND INCORPORATED MUNICIPALITIES LOCATED THEREIN;

H.J.R. 1332, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REALLOCATE FIRE AND RESCUE GRANTS FOR EQUIPMENT AND CAPITAL IMPROVEMENTS;

H.J.R. 1377, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN COVERAGE FOR DIABETES IN HEALTH AND ACCIDENT INSURANCE POLICIES, IN HOSPITAL OR MEDICAL SERVICES PLANS, AND IN HMO PLANS;

H.J.R. 1408, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO RAISE THE STATE MINIMUM WAGE IN ORDER TO INDEX IT TO INFLATION SINCE IT WAS LAST RAISED;

H.J.R. 1449, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT MAKING IT EASIER FOR CHILDREN TO ATTEND PUBLIC SCHOOLS ACROSS DISTRICT LINES BETWEEN THE ALAMANCE COUNTY SCHOOL ADMINISTRATIVE UNIT AND ADJOINING SCHOOL UNITS;

H.J.R. 1455, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE LEGISLATOR;

H.J.R. 1456, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT IN CONNECTION WITH OPERATION JOINT ENDEAVOR; and

House Committee Substitute for **S.B. 618,** A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF ROBERT P. GRUBER AS EXECUTIVE DIRECTOR OF THE PUBLIC STAFF OF THE NORTH CAROLINA UTILITIES COMMISSION.

The bills reported from the Committee on Rules, Calendar, and Operations of the House with an indefinite postponement report are placed on the Unfavorable Calendar.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

Committee Substitute for **H.B. 1138**, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

H.B. 1378, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

H.B. 1390, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

Committee Substitute for **S.B. 1178**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO ALLOW THE VOLUNTARY WITHHOLDING OF INCOME TAX FROM UNEMPLOYMENT COMPENSATION PAYMENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

S.B. 1239, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX FREE SAMPLES OF PRESCRIPTION DRUGS DISTRIBUTED BY THE MANUFACTURER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Nichols for the Committee on Health and Environment:

H.B. 1337, A BILL TO BE ENTITLED AN ACT TO CHANGE THE CIVIL PENALTIES THAT MAY BE ASSESSED AGAINST CERTAIN LICENSE HOLDERS FOR EMISSIONS INSPECTIONS BASED ON WHETHER THE VEHICLE WAS INTENTIONALLY IMPROPERLY PASSED INSPECTION AND TO CHANGE THE PROVISIONS REGARDING THE SUSPENSION OR REVOCATION OF LICENSES TO PROVIDE FOR NOTICE AND HEARING, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 20. The original bill is placed on the Unfavorable Calendar.

H.B. 1341, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT PHASE ONE OF THE RESTRUCTURING OF ENVIRONMENTAL PROGRAMS IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL PROCESS ACTION TEAM OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

H.B. 1346, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADMINISTRATIVE SEARCH WARRANTS TO BE SERVED AT HOURS OTHER THAN BETWEEN 8:00 A.M. AND 8:00 P.M. WHEN THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ACTIVITY THAT JUSTIFIES THE ADMINISTRATIVE SEARCH WARRANT WILL OCCUR AT OTHER HOURS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Representative Nichols reports the following bills with an indefinite

postponement report:

H.B. 489, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PODIATRY;

H.B. 689, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF PODIATRY;

H.B. 880, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ENVIRONMENTAL PROFESSIONALS TO PERFORM CERTAIN ENVIRONMENTAL SERVICES AND SIGN CERTAIN ENVIRONMENTAL REPORTS THAT CURRENTLY ARE PERFORMED AND SIGNED BY LICENSED ENGINEERS OR LICENSED GEOLOGISTS;

H.B. 1049, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA ENVIRONMENTAL POLICY ACT, TO IMPROVE PUBLIC NOTICE REQUIREMENTS CONCERNING SITING DECISIONS AND OTHER ENVIRONMENTAL DECISIONS, TO EXPAND THE APPEAL RIGHTS OF PERSONS LIVING IN AREAS AFFECTED BY ENVIRONMENTAL DECISIONS, AND TO DIRECT ACTIONS OF STATE AGENCIES TO IMPROVE PUBLIC ACCESS TO INFORMATION, AND TO ADDRESS ENVIRONMENTAL JUSTICE ISSUES AFFECTING MINORITY COMMUNITIES AND LOW-INCOME COMMUNITIES;

H.B. 1128, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT NO STATE RULE REGULATING DRINKING WATER STANDARDS AND TESTING MAY BE MORE RESTRICTIVE THAN THE FEDERAL LAW;

H.B. 1214, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE REGISTRATION REQUIREMENT FOR FORESTERS; and

H.B. 1354, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE FORESTRY COUNCIL OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND REDEFINE ITS RESPONSIBILITIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The bills reported from the Committee on Health and Environment with an indefinite postponement report are placed on the Unfavorable Calendar.

By Representative Sexton for the Permanent Subcommittee on Highways of the Standing Committee on Transportation, with approval of standing

committee chair for report to be made directly to the floor of the House:

S.B. 1294, A BILL TO BE ENTITLED AN ACT TO CONFORM THE MOTOR VEHICLE LAWS TO THE FEDERAL DEREGULATION OF TRUCKING AND TO MAKE TECHNICAL CHANGES TO THE MOTOR VEHICLE LAWS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

S.B. 1183, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 1263**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY AND TO RESTRICT HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY, is read the first time and referred to the Committee on Local and Regional Government II.

Committee Substitute for **S.B. 1313**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM, is read the first time and referred to the Committee on Finance.

S.B. 1319, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, is read the first time and referred to the Committee on Finance.

S.B. 1330, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SEDALIA, is read the first time and referred to the Committee on Finance.

S.B. 1365, A BILL TO BE ENTITLED AN ACT CONCERNING MODIFICATION OF THE MUNICIPAL LIMITS BETWEEN THE CITY OF RALEIGH AND THE TOWN OF GARNER, is read the first time and referred to the Committee on Local and Regional Government I.

S.B. 1389, A BILL TO BE ENTITLED AN ACT TO DEANNEX AND DETACH A SMALL AREA OF LAND FROM THE CORPORATE LIMITS OF THE CITY OF ALBEMARLE, NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1392, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN, is read the first time and referred to the Committee on Local and Regional Government I and, if favorable, to the Committee on Finance.

S.B. 1397, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, is read the first time and referred to the Committee on Finance.

RECALL FROM ENROLLING

On motion of Representative Thompson, **H.B. 1256**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, is recalled from Enrolling.

On motion of Representative Thompson, the vote by which the House concurred in the Senate amendment is reconsidered.

On motion of Representative Thompson, the House does not concur in the Senate amendment and conferees are requested.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, Committee Substitute for **S.B. 855**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS AND TO AMEND THE PUBLIC RECORDS LAW, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 4:43 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

S.B. 1487, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MARRIAGES RECOGNIZED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID, passes its second reading, by electronic vote (98-10), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 1207**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MAXIMUM PERIOD OF TIME A JUVENILE MAY BE COMMITTED IN ACCORDANCE WITH THE STRUCTURED SENTENCING ACT AS RECOMMENDED BY THE SENTENCING AND POLICY ADVISORY COMMISSION AND TO AMEND THE PROCEDURE FOR COURT-ORDERED TREATMENT OF A JUVENILE TO REQUIRE THE COUNTY TO ARRANGE FOR TREATMENT OF THE JUVENILE WHEN THE PARENT CANNOT AFFORD TO PAY THE COST, which was temporarily displaced, is before the Body.

Representative Baker offers Amendment No. 1 which is adopted by electronic vote (107-0).

The bill, as amended, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 1139**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC

SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS.

Representative Eddins offers Amendment No. 1.

Representative Mitchell inquires of the Chair if the amendment is germane. The Speaker rules that the amendment is germane.

Amendment No. 1 fails of adoption by electronic vote (43-57).

Representative Decker inquires of the Chair if the bill is properly before the Body since it came from the Joint Legislative Education Oversight Committee which, he states, is not instructed to report to this session of the General Assembly. The Speaker states that the bill is properly before the Body.

Representative Davis offers Amendment No. 2.

On motion of Representative Grady, seconded by Representative Gamble, Amendment No. 2 is tabled by electronic vote (79-24).

Representative Capps offers Amendment No. 3 which is adopted by electronic vote (52-45).

Representative Wood offers Amendment No. 4.

Representative Wood calls the previous question on the Amendment and the call is sustained by electronic vote (77-23).

Amendment No. 4 fails of adoption by electronic vote (28-75).

Representative Grady calls the previous question on the passage of the bill and the call is sustained by electronic vote (96-10).

The bill, as amended, passes its second reading, by electronic vote (102-5), and there being no objection is read a third time.

Representative Decker offers Amendment No. 5 which is adopted by electronic vote (91-13).

Representative Grady calls the previous question on the passage of the bill

and the call is sustained by electronic vote (95-11).

The bill, as amended, passes its third reading, by electronic vote (103-5).

Representative H. Hunter requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (104-4).

The bill is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

S.J.R. 1485, A JOINT RESOLUTION HONORING THE MEMORY OF JAMES GORDON HANES, JR., FORMER STATE SENATOR AND INDUSTRIALIST, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

S.J.R. 1486, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GOVERNOR JOHN MOTLEY MOREHEAD ON THE TWO HUNDREDTH ANNIVERSARY OF HIS BIRTH, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

CONFEREES APPOINTED

The Speaker announces the following conferees on **H.B. 1256**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR: Representatives Thompson, Chair; Buchanan and Crawford.

The Senate is so notified by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 233**, A BILL TO BE ENTITLED AN ACT TO TRANSFER MOORE COUNTY TO JUDICIAL AND PROSECUTORIAL DISTRICTS 19B, is returned for concurrence in Senate

committee substitute, as amended, and placed on the Calendar for June 20.

Committee Substitute for **H.B. 686**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO DOMESTIC VIOLENCE, is returned for concurrence in Senate amendment and placed on the Calendar for June 20.

Committee Substitute for **H.B. 1157**, A BILL TO BE ENTITLED AN ACT TO CODIFY AND CLARIFY THE STATE BOARD OF ELECTIONS' RULING CONCERNING CONTRIBUTIONS TO STATE CAMPAIGNS BY FEDERAL COMMITTEES, is returned for concurrence in Senate amendment and placed on the Calendar for June 20.

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO REVISE THE PARTICIPATION FORMULA OF THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is returned for concurrence in Senate amendment and placed on the Calendar for June 20.

S.B. 1148, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL COVERAGE UNDER THE NORTH CAROLINA BEACH PLAN AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is read the first time and referred to the Committee on Insurance.

S.B. 1260, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORECLOSURE FILING FEES, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 1296**, A BILL TO BE ENTITLED AN ACT TO EXTEND THE REGULAR PERIOD OF POST-RELEASE SUPERVISION FROM SIX TO NINE MONTHS, TO EXTEND THE PERIOD OF POST-RELEASE SUPERVISION TO FIVE YEARS FOR SEX OFFENDERS AND TO PROVIDE FOR SPECIAL CONDITIONS OF POST-RELEASE SUPERVISION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF MINORS, is read the first time and referred to the Committee on Judiciary II.

Committee Substitute for **S.B. 1297**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CONDITIONS OF PROBATION

FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF CHILDREN, is read the first time and referred to the Committee on Judiciary I.

Committee Substitute for **S.B. 1301**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE OTHER TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, is read the first time and referred to the Committee on Judiciary II.

Senate Committee Substitute for **H.B. 859**, A BILL TO BE ENTITLED AN ACT TO REVISE THE SOLID WASTE MANAGEMENT ACT OF 1989 AND RELATED STATUTES, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 20.

Committee Substitute for **S.B. 1182**, A BILL TO BE ENTITLED AN ACT TO ENFORCE ECONOMY IN STATE PRINTING COSTS AND TO PROMOTE OPPORTUNITIES FOR INCREASED PRIVATIZATION OF PRINTING, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute No. 2 for **S.B. 1217**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURAL WASTE, is read the first time and referred to the Committee on Finance.

S.B. 1343, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1146, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING LICENSED REINSURERS FROM ASSUMING REINSURANCE FROM NONADMITTED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES AND TO MAKE CLARIFYING AMENDMENTS IN THE 1995 ASSUMPTION REINSURANCE LAW, is read the first time and referred to

the Committee on Insurance.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Sexton, Vice Chair, for the Committee on Transportation:

S.B. 1270, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED LIMITS UP TO SEVENTY MILES PER HOUR ON DESIGNATED PARTS OF CONTROLLED ACCESS HIGHWAYS AND TO PROVIDE FOR SUSPENSION OF THE LICENSE OF A PERSON DRIVING IN EXCESS OF 80 MILES PER HOUR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

S.B. 981, A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFIED INVESTMENT TAX CREDIT TO PROVIDE AN INCENTIVE FOR INVESTMENT IN SMALL NORTH CAROLINA FILM PRODUCTION BUSINESSES, with a favorable report, as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 20. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Morgan and without objection, **S.B. 1389**, A BILL TO BE ENTITLED AN ACT TO DEANNEX AND DETACH A SMALL AREA OF LAND FROM THE CORPORATE LIMITS OF THE CITY OF ALBEMARLE, NORTH CAROLINA, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Morgan and without objection, **H.B. 1138**, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL

AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Finance.

Representative Morgan moves, seconded by Representative Hensley, that the House adjourn, subject to the receipt of committee reports and Messages from the Senate, to reconvene June 20 at 11:30 a.m. The motion carries.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Ellis for the Committee on Local and Regional Government I:

S.B. 1365, A BILL TO BE ENTITLED AN ACT CONCERNING MODIFICATION OF THE MUNICIPAL LIMITS BETWEEN THE CITY OF RALEIGH AND THE TOWN OF GARNER, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

The bill is re-referred to the Committee on Finance.

S.B. 1375, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF ELECTION OF THE WHITEVILLE CITY BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 1169, A BILL TO BE ENTITLED AN ACT TO ABOLISH AND MERGE CERTAIN BOARDS AND COMMISSIONS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

H.B. 1265, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA COURTS COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.J.R. 1410, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PELEG DAMERON MIDGETT, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar for June 20.

S.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS AND TO AMEND THE PUBLIC RECORDS LAW, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar for June 20. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 1343, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.J.R. 1490, A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF GRANVILLE COUNTY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar for June 20.

S.J.R. 1492, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF

CHARLES MELVIN CREECY, FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

Pursuant to Rule 36(a), the resolution is placed on the Calendar for June 20.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1424, A BILL TO BE ENTITLED AN ACT TO ADD CASWELL AND PERSON COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

H.B. 1383, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CERRO GORDO TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO EUGENE GREEN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

Committee Substitute for **H.B. 1422**, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

H.B. 1397, A BILL TO BE ENTITLED AN ACT AUTHORIZING COLUMBUS COUNTY TO ENTER INTO LEASES FOR TERMS NOT LONGER THAN TWENTY YEARS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

H.B. 1116, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CLINTON-SAMPSON AGRI-CIVIC CENTER COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

Committee Substitute for **H.B. 1307**, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE

PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

S.B. 1317, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUED SOLVENCY OF THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND TO MAKE OTHER CHANGES TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

S.B. 1174, A BILL TO BE ENTITLED AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE FILING DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY CONSOLIDATED BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

Committee Substitute for **S.B. 723**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF TELEPHONIC SELLERS IN NORTH CAROLINA, TO MAKE THE OFFERING OF TELEPHONE SALES RECOVERY SERVICES A CRIMINAL OFFENSE, AND TO RESTRICT THE TIME PERIOD WITHIN WHICH UNSOLICITED AUTOMATIC DIALING AND RECORDED MESSAGES MAY BE MADE BY PHONE, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1198, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS CONCERNING IMPORTS AND EXPORTS OF MOTOR FUEL UNDER THE "TAX AT THE RACK" LAWS AND TO MAKE OTHER ADJUSTMENTS TO THOSE LAWS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

S.B. 1389, A BILL TO BE ENTITLED AN ACT TO DEANNEX AND DETACH A SMALL AREA OF LAND FROM THE CORPORATE LIMITS OF THE CITY OF ALBEMARLE, NORTH CAROLINA, with a favorable

report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

Committee Substitute for **S.B. 598**, A BILL TO BE ENTITLED AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

Committee Substitute for **S.B. 1217**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURAL WASTE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

H.B. 1093, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for June 20. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for **H.B. 1138**, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 20.

The House stands adjourned at 12:51 a.m.

ONE HUNDRED THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES

Thursday, June 20, 1996

The House meets at 11:30 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, thank You for being who You are, for Your willingness to love and forgive and to bless. Thank You for holding us accountable for our actions, for allowing us to thrash about without ever letting us get off the hook. For using us some time in spite of ourselves, and at other times because we have sought Your will. For being a God of dreams and miracles and promises and surprises. Like Jeremiah said, 'Call unto me and I will answer Thee and show Thee great and mighty things which Thou knowest not'. (Jeremiah 33:3) As this session folds down maybe miracles are more like what we need.

'The day had been long, some things
had gone wrong and some had gone right,
Frustration, elation but a pretty good fight.

We had struggled with bills,
Some plain, some with frills.
Amend them, refer them, debate it down,
Cut it off.

When I fell into bed, 'ere the pillow
Touched my head,
I was asleep like a kid in a loft.

Then I dreamed a dream like no dream
I'd 'ere dreamed before,
I was elected and back in this place
On the floor.

I wowed them, and bowed them, with
Argument cowed them.
A statesman that no one could ignore.

The folks 'cross the hall
Stood like steeds in a stall,
All patient and waiting my call.
We'll be glad to concur
And not make even a stir,

With your political hay in the stall.

The budget I crafted with arrogant ease,

And balanced it out like

A circus trapeze.

It teased them, it pleased them

With all it appeased them

As no budget had 'ere done before.

It sailed through debate like a calf at the gate

Or there was slick glazed ice on the floor.

I designed roads and by-passes

Like fine Irish lace.

Financed them and paved them

And laid them in place,

And my colleagues all voted,

And the media all noted,

With non-partisan smiles on their face.

The schools, I just fixed them,

Teacher's salaries and all

The curriculum I designed

Met each beck and each call,

With my personal guarantee

To make ladies and gents of them all.

Then Pop! I awakened, most politicians do,

Pulled on my robe and slipped on a shoe,

I sat there reflecting on what I was

And might be

And in my reflecting, this prayer came to me.

O God, help me be just half the politician

Don't You see,

As in my dream I fancied I was.' Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 19 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (91-0).

Leaves of absence are granted Representatives Beall, Fox, Howard, Hunt,

Oldham, G. Robinson, and Warner for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 1176, AN ACT TO MODIFY THE REQUIREMENTS FOR MAKING STREET ASSESSMENTS IN FOXFIRE VILLAGE UNDER CERTAIN CIRCUMSTANCES. (CHAPTER 574)

H.B. 361, AN ACT TO AMEND THE SECTION 108 LOAN GUARANTEE PROGRAM LAWS AND THE LAWS GOVERNING INDUSTRIAL REVENUE BONDS. (CHAPTER 575)

H.B. 1112, AN ACT TO AUTHORIZE THE TOWN OF MAXTON TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE TO THE HISTORIC PRESERVATION FOUNDATION OF NORTH CAROLINA, INC., A NONPROFIT CORPORATION. (CHAPTER 576)

H.B. 1130, AN ACT TO AUTHORIZE THE COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO TAKE A LIEN ON REAL PROPERTY FOR DELINQUENT FEES FOR CERTAIN INSPECTIONS. (CHAPTER 577)

H.B. 1177, AN ACT TO ALLOW THE MERGER OF THE TOWN OF BATTLEBORO INTO THE CITY OF ROCKY MOUNT. (CHAPTER 578)

H.B. 1192, AN ACT TO DEVELOP A PROPOSAL FOR A RESERVE FUND TO PAY CATASTROPHIC LOSSES AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES. (CHAPTER 579)

S.B. 1190, AN ACT TO EXTEND THE EXTRATERRITORIAL PLANNING JURISDICTION OF THE TOWN OF WALLACE. (CHAPTER 580)

S.B. 1412, AN ACT TO REINSTATE THE "NO WAKE ZONE" WITHIN ONE HUNDRED FIFTY YARDS OF SEAFOOD WORLD IN TOPSAIL SOUND AND TO REPEAL THE PROHIBITION ON "NO WAKE ZONES" IN PENDER COUNTY. (CHAPTER 581)

H.B. 1193, AN ACT TO PROVIDE FOR MORE EFFECTIVE

FINANCIAL SUPERVISION, REHABILITATION, AND LIQUIDATION PROCEDURES FOR CONTINUING CARE RETIREMENT CENTERS AND TO PROVIDE THAT CONTINUING CARE AGREEMENTS ARE SUBORDINATE TO THE COST OF ADMINISTRATION IN LIQUIDATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES. (CHAPTER 582)

S.B. 126, AN ACT TO CREATE THE LONG-TERM CARE SUBCOMMITTEE AND TO PROVIDE FOR THE CREATION OF OTHER SUBCOMMITTEES OF THE NORTH CAROLINA STUDY COMMISSION ON AGING AND TO MAKE CHANGES TO THE LONG-TERM CARE LAW. (CHAPTER 583)

S.B. 555, AN ACT TO INCREASE THE MAXIMUM FEES THAT THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS MAY ASSESS, TO MOVE FEE AUTHORIZATIONS FROM SEPARATE SECTIONS TO A GENERAL FEE SECTION, TO ELIMINATE A FEE THAT IS NOT NEEDED, AND TO UPDATE STATUTORY LANGUAGE ON BOARD ANNUAL MEETINGS. (CHAPTER 584)

S.B. 687, AN ACT TO PROVIDE FOR IMPROVEMENT PERMITS FOR A WASTEWATER SYSTEM THAT ARE VALID FOR FIVE YEARS IN ADDITION TO THE IMPROVEMENT PERMITS THAT ARE VALID WITHOUT EXPIRATION UNDER CURRENT LAW. (CHAPTER 585)

H.B. 1075, AN ACT TO REMOVE THE EXPIRATION DATE ON THE ENDORSEMENT TO SELL PROGRAM SET FORTH IN CHAPTER 515 OF THE 1993 SESSION LAWS. (CHAPTER 586)

H.B. 1233, AN ACT TO ENACT THE OVERHEAD HIGH-VOLTAGE LINE SAFETY ACT AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE. (CHAPTER 587)

S.B. 1487, AN ACT TO PROVIDE THAT MARRIAGES RECOGNIZED OUTSIDE OF THIS STATE BETWEEN PERSONS OF THE SAME GENDER ARE NOT VALID. (CHAPTER 588)

S.J.R. 1485, A JOINT RESOLUTION HONORING THE MEMORY OF JAMES GORDON HANES, JR., FORMER STATE SENATOR AND INDUSTRIALIST. (RESOLUTION 21)

S.J.R. 1486, A JOINT RESOLUTION AUTHORIZING THE 1995

GENERAL ASSEMBLY, 1996 SESSION, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GOVERNOR JOHN MOTLEY MOREHEAD ON THE TWO HUNDREDTH ANNIVERSARY OF HIS BIRTH. (RESOLUTION 22)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative McCombs for the Committee on Pensions and Retirement:

S.B. 1393, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF CERTIFIED EMPLOYEES OF THE MECKLENBURG COUNTY AND CATAWBA COUNTY SHERIFFS' OFFICES FOR ELIGIBILITY FOR BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 21. The original bill is placed on the Unfavorable Calendar.

Representative Decker reports the following bills from the Committee on Local and Regional Government II, with an indefinite postponement report.

H.B. 169, A BILL TO BE ENTITLED AN ACT EXEMPTING COLUMBUS COUNTY HOSPITAL, INC., FROM CERTAIN RULES AND REGULATIONS OF THE LOCAL GOVERNMENT COMMISSION;

H.B. 577, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM VEHICLE TAX THAT MAY BE LEVIED IN THE CITY OF SALISBURY;

H.B. 644, A BILL TO BE ENTITLED AN ACT TO ALLOW EDGEcombe COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION;

H.B. 646, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY OF ASHEVILLE MAY, AT ITS OPTION, APPOINT A TAX COLLECTOR PURSUANT TO THE PROVISIONS OF GENERAL LAW;

H.B. 649, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A MERGER OF THE IREDELL-STATESVILLE SCHOOL ADMINISTRATIVE UNIT WITH THE MOORESVILLE GRADED SCHOOL DISTRICT;

H.B. 664, A BILL TO BE ENTITLED AN ACT TO ALLOW WAKE COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION;

H.B. 665, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WAKE PREPARED FOOD AND BEVERAGE TAX IS REPEALED IF EITHER WAKE COUNTY OR THE CITY OF RALEIGH INCREASES ITS PROPERTY TAX RATE ABOVE THE RATE IN EFFECT FOR THE 1994-95 FISCAL YEAR;

H.B. 1178, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LUMBERTON FIREMEN'S SUPPLEMENTARY PENSION FUND TO INCREASE THE MONTHLY BENEFITS TO ITS MEMBERS;

H.B. 1221, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY COUNCIL OF THE CITY OF ELIZABETH CITY MAY DESIGNATE CERTAIN HANDICAPPED PARKING SPACES AS LIMITED TO FOUR HOURS;

H.B. 1260, A BILL TO BE ENTITLED AN ACT TO CHANGE THE LAW IN CHOWAN COUNTY; and

H.B. 1403, A BILL TO BE ENTITLED AN ACT ALLOWING PERSON COUNTY TO JOIN ORANGE AND CHATHAM COUNTIES AS THOSE AUTHORIZED TO ESTABLISH BOUNDARIES BY THE USE OF ORTHOPHOTOGRAPHY.

The bills reported from the Committee on Local and Regional Government II, with an indefinite postponement report, are placed on the Unfavorable Calendar.

By Representatives Berry and Howard, Co-Chairs, for the Committee on Welfare Reform and Human Resources:

H.B. 1107, A BILL TO BE ENTITLED AN ACT TO RESTRUCTURE THE DELIVERY OF PUBLIC ASSISTANCE SERVICES TO REQUIRE FAMILIES TO MOVE FROM WELFARE DEPENDENCY TO SELF-SUFFICIENCY AND TO APPROPRIATE FUNDS TO PROVIDE THE

NECESSARY SUPPORT AND RESTRUCTURING, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Black, Adams, Alexander, Barnes, Beall, Blue, Bowen, Boyd-McIntyre, Braswell, W. Brown, Church, Crawford, Culpepper, Cunningham, Earle, Easterling, Fitch, Fox, Gamble, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Lee, Locke, Luebke, McAllister, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Nye, Oldham, Owens, Ramsey, Redwine, Richardson, Rogers, Sutton, Tolson, Wainwright, Warner, Wilkins, Womble, Wright, and Yongue:

H.J.R. 1457, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION TO EXTEND FOR ONE WEEK SINE DIE ADJOURNMENT OF THE 1995 REGULAR SESSION OF THE GENERAL ASSEMBLY TO ALLOW THE PEOPLE'S BUSINESS TO BE COMPLETED, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 540**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF NINE HUNDRED FIFTY MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND.

Representative Daughtry calls the previous question on the motion to concur and the call is sustained by electronic vote (83-19).

On motion of Representative C. Wilson, the House concurs in the material Senate committee substitute on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Arnold, Baker, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Gamble, Grady, Gray, Hayes, Hensley, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 96.

Voting in the negative: Representatives Allred, Carpenter, Culpepper, Fitch, Gardner, Hackney, Kiser, Linney, Luebke, and Michaux - 10.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

Senate Committee Substitute for **H.B. 233**, A BILL TO BE ENTITLED AN ACT TO TRANSFER MOORE COUNTY TO JUDICIAL AND PROSECUTORIAL DISTRICTS 19B.

On motion of Representative Morgan, the House concurs in the Senate committee substitute, as amended, by electronic vote (95-7), and the bill is ordered enrolled.

Committee Substitute for **H.B. 686**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO DOMESTIC VIOLENCE.

On motion of Representative Sharpe, the House concurs in Senate Amendment No. 1, by electronic vote (104-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 1157**, A BILL TO BE ENTITLED AN ACT TO CODIFY AND CLARIFY THE STATE BOARD OF ELECTIONS' RULING CONCERNING CONTRIBUTIONS TO STATE CAMPAIGNS BY FEDERAL COMMITTEES.

On motion of Representative Cansler, the House concurs in Senate Amendment No. 1, by electronic vote (103-1), and the bill is ordered enrolled.

H.B. 1200, A BILL TO BE ENTITLED AN ACT TO REVISE THE PARTICIPATION FORMULA OF THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES.

On motion of Representative Cocklereece, the House concurs in Senate Amendment No. 1, by electronic vote (98-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 859**, A BILL TO BE ENTITLED AN ACT TO REVISE THE SOLID WASTE MANAGEMENT ACT OF 1989 AND RELATED STATUTES.

On motion of Representative Nichols, the bill is temporarily displaced.

WITHDRAWAL OF BILLS FROM CALENDAR

On motion of Representative Weatherly and without objection, **S.B. 1377**, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK COUNTY, is withdrawn from the Calendar and placed on the Calendar of June 21.

Representative Morgan moves that **S.B. 684**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF DURHAM TO AUTHORIZE THE MAKING OF EMERGENCY REPAIRS TO NONRESIDENTIAL BUILDINGS, be withdrawn from the Calendar and placed on the Calendar of June 21. A division having been called, the motion carries by electronic vote (58-45).

CALENDAR (continued)

Committee Substitute for **H.B. 1138**, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and

remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barnes, Berry, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Crawford, Creech, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dockham, Earle, Easterling, Edwards, Esposito, Fitch, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 93.

Voting in the negative: Representatives Baker, Capps, Clary, Davis, Eddins, Linney, McComas, and K. Miller - 8.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 507, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PERMIT THE CITY COUNCIL TO SPECIALLY ASSESS BENEFITED PROPERTY FOR THE COST OF EXTENDING WATER AND SEWER LINES TO PROPERTY LOCATED OUTSIDE OF THE CITY LIMITS WHEN REQUESTED BY THE BOARD OF COMMISSIONERS OF DURHAM COUNTY WITHOUT THE NECESSITY OF A PETITION FOR SUCH IMPROVEMENTS BEING SUBMITTED, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barnes, Black, Blue, Bowen, Boyd-McIntyre, Braswell, J. Brown, W. Brown, Buchanan, Cansler, Church, Clary, Cocklereece, Culpepper, Cummings, Cunningham, Decker, Dickson, Earle, Easterling, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Preston, Ramsey, Rayfield, Redwine, Reynolds,

Richardson, J. Robinson, Rogers, Russell, Sharpe, Shaw, Sherrill, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, Womble, Wright, and Yongue - 85.

Voting in the negative: Representatives Allred, Baker, Berry, Brawley, Capps, Carpenter, Creech, Davis, Dockham, Eddins, Ellis, Ives, Linney, Pate, Pulley, Sexton, Shubert, and G. Wilson - 18.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 1174, A BILL TO BE ENTITLED AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE FILING DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY CONSOLIDATED BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Mitchell, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 98.

Voting in the negative: Representatives Aldridge, Allred, Capps, Davis, Ellis, Linney, K. Miller - 7.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

Committee Substitute for **H.B. 1307**, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN, passes its second reading, by the following vote, and remains on

the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

H.B. 1378, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

H.B. 1390, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

Committee Substitute for **H.B. 1422**, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield,

Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

H.B. 1424, A BILL TO BE ENTITLED AN ACT TO ADD CASWELL AND PERSON COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

Committee Substitute for **S.B. 662**, A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO CREATE FIRE PROTECTION DISTRICTS IN WHICH FIRE PROTECTION IS FUNDED BY FEES RATHER THAN TAXES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 580, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ALBEMARLE CONCERNING ASSESSMENTS FOR STREET IMPROVEMENTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 1389, A BILL TO BE ENTITLED AN ACT TO DEANNEX AND DETACH A SMALL AREA OF LAND FROM THE CORPORATE LIMITS OF THE CITY OF ALBEMARLE, NORTH CAROLINA, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield,

Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

Committee Substitute for **S.B. 598**, A BILL TO BE ENTITLED AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Howard, Hunt, Oldham, G. Robinson, and Warner - 8.

Senate Committee Substitute for **H.B. 859**, A BILL TO BE ENTITLED AN ACT TO REVISE THE SOLID WASTE MANAGEMENT ACT OF 1989 AND RELATED STATUTES, which was temporarily displaced, is before the Body.

On motion of Representative Nichols, the House concurs in the Senate committee substitute, by electronic vote (97-6), and the bill is ordered enrolled.

H.B. 1286, A BILL TO BE ENTITLED AN ACT TO PROHIBIT

HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1116, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE CLINTON-SAMPSON AGRI-CIVIC CENTER COMMISSION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1397, A BILL TO BE ENTITLED AN ACT AUTHORIZING COLUMBUS COUNTY TO ENTER INTO LEASES FOR TERMS NOT LONGER THAN TWENTY YEARS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1383, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CERRO GORDO TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO EUGENE GREEN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 540**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 725, A BILL TO BE ENTITLED AN ACT TO EXEMPT

RICHMOND COUNTY FROM CERTAIN RESTRICTIONS RELATING TO THE SALE OF HOSPITAL FACILITIES TO NONPROFIT CORPORATIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1280, A BILL TO BE ENTITLED AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT IN WILSON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1113, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE FOR THE OATH OF OFFICE FOR MEMBERS OF THE RICHMOND COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1360, A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A CORRECTIONAL FACILITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 375, A BILL TO BE ENTITLED AN ACT TO ENLARGE THE MEMBERSHIP OF THE STANLY COUNTY ECONOMIC DEVELOPMENT COMMISSION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 600, A BILL TO BE ENTITLED AN ACT TO PROVIDE

STAGGERED FOUR-YEAR TERMS FOR MEMBERS OF THE STANLY COUNTY BOARD OF COMMISSIONERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 1409, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIMINAL OFFENSES IN MONTGOMERY COUNTY OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **H.B. 1355**, A BILL TO BE ENTITLED AN ACT TO EXTEND UP TO TWENTY YEARS THE PERIOD TO REPAY SPECIAL ASSESSMENTS IN THE CITY OF FAYETTEVILLE.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Beall, Culp, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

House Committee Substitute No. 3 for **S.B. 709**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CONSOLIDATION OF HUMAN SERVICES BY COUNTIES, TO MAKE PROVISIONS RELATIVE TO THE

STATE AND FEDERAL FUNDING STREAMS FOR CONSOLIDATED HUMAN SERVICES FUNCTIONS, TO PROVIDE THAT THE MEMBERSHIP OF A CONSOLIDATED HUMAN SERVICES BOARD SHALL BE APPOINTED SOLELY BY THE BOARD OF COUNTY COMMISSIONERS, AND TO CHANGE THE STATUS OF COUNTY EMPLOYEES OF A CONSOLIDATED COUNTY HUMAN SERVICES AGENCY WITH REGARD TO THEIR COVERAGE UNDER THE STATE PERSONNEL ACT, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representatives Nye and Rogers - 2.

Excused absences: Representatives Beall, Culp, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

Committee Substitute for **H.B. 1093**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, AND PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barnes, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Esposito, Fitch, Gamble, Gardner, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, Mercer, G. Miller, Mitchell, Neely, Nichols, Nye, Owens, Pate, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 86.

Voting in the negative: Representatives Baker, Berry, Carpenter, Creech, Eddins, Edwards, Grady, Gray, Howard, Linney, McMahan, K. Miller, Miner, Preston, Russell, and Thompson - 16.

Excused absences: Representatives Beall, Culp, Fox, Hunt, Morgan, Oldham, G. Robinson, and Warner - 8.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 878, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN AIRPORT BOARDS AND COMMISSIONS TO OWN, OPERATE, AND FINANCE THE PURCHASE AND IMPROVEMENT OF WATER AND WASTEWATER SYSTEMS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lemmond, Linney, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 101.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Beall, Culp, Fox, Hunt, Morgan, Oldham, G. Robinson, and Warner - 8.

Representatives Womble, Locke, and Dockham state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (104-1).

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 323**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OBSERVERS AT A PRECINCT'S VOTING PLACE NEED NOT BE REGISTERED VOTERS IN THAT PRECINCT BUT SHALL BE REGISTERED VOTERS IN THE COUNTY AND TO AMEND THE LAW GOVERNING ACCESS TO VOTER REGISTRATION INFORMATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Kiser, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 86.

Voting in the negative: Representatives Adams, Blue, Bowen, Braswell, W. Brown, Cunningham, Earle, Fitch, Hightower, Lee, McLaughlin, Mercer, G. Miller, K. Miller, Redwine, Shaw, Sutton, Tolson, and Wright - 19.

Excused absences: Representatives Beall, Culp, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1094, A BILL TO BE ENTITLED AN ACT TO INCREASE CERTAIN FEES UNDER THE NURSING HOME ADMINISTRATOR ACT,

passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barnes, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: Representatives Baker, Berry, Creech, Hayes, Linney, and K. Miller - 6.

Excused absences: Representatives Beall, Culp, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

Committee Substitute for **S.B. 1178**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO ALLOW THE VOLUNTARY WITHHOLDING OF INCOME TAX FROM UNEMPLOYMENT COMPENSATION PAYMENTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and

Yongue - 102.

Voting in the negative: Representatives Linney and K. Miller - 2.

Excused absences: Representatives Beall, Culp, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

S.B. 1317, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUED SOLVENCY OF THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND TO MAKE OTHER CHANGES TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

Representative Hackney requests that he be excused from voting on this bill pursuant to Rule 24.1A, because of a conflict of interest, and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 106.

Voting in the negative: Representatives Edwards and K. Miller - 2.

Excused vote: Representative Hackney

Excused absences: Representatives Beall, Culp, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

S.B. 1198, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS CONCERNING IMPORTS AND EXPORTS OF MOTOR

FUEL UNDER THE "TAX AT THE RACK" LAWS AND TO MAKE OTHER ADJUSTMENTS TO THOSE LAWS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Creech, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Watson, Weatherly, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representatives K. Miller, Thompson, and Wilkins - 3.

Excused absences: Representatives Beall, Culp, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

H.B. 1183, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION, passes its third reading, by electronic vote (108-0), and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1148**, A BILL TO BE ENTITLED AN ACT TO REDUCE DUPLICATION OF WORK BETWEEN THE OFFICE OF STATE PERSONNEL AND OTHER AGENCIES, DEPARTMENTS, AND INSTITUTIONS BY THE DECENTRALIZATION OF CERTAIN FUNCTIONS FROM THE OFFICE OF STATE PERSONNEL TO THOSE AGENCIES, DEPARTMENTS, AND INSTITUTIONS, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by

Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1338, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION.

On motion of Representative Luebke, Committee Amendment No. 1 is adopted by electronic vote (96-0). This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (77-26), and the caption having been amended, the bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1316, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO BROADEN THE ACCESS TO CONFIDENTIAL RECORDS FOR THE PURPOSES OF CHILD FATALITY REVIEW AND PREVENTION,** passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1139, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE REVIEW OF GRIEVANCES FILED BY STATE EMPLOYEES AND APPLICANTS FOR STATE EMPLOYMENT.**

On motion of Representative Capps, Committee Amendment No. 1 is adopted by electronic vote (100-1).

On motion of the Chair, the bill is temporarily displaced.

**REPORTS OF STANDING COMMITTEES AND PERMANENT
SUBCOMMITTEES**

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

S.B. 1179, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT IN CONNECTION WITH OPERATION JOINT ENDEAVOR, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 21.

S.B. 1180, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL GOVERNMENTS TO ACCOUNT FOR 911 SURCHARGES IN THEIR ANNUAL FINANCIAL STATEMENTS, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1244, A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF WALLACE A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 1380, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO ACCEPT PAYMENTS IN LIEU OF REQUIRED STREET AND SIDEWALK CONSTRUCTION, with a favorable report as to House committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 819, A BILL TO BE ENTITLED AN ACT TO MAKE THE LARCENY OF PURCHASED GOODS BY THE SELLER A CLASS H FELONY, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Morgan and without objection, **S.B. 1397**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, is withdrawn from the Committee on Finance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Morgan and without objection, House Committee Substitute for **S.B. 905**, A BILL TO BE ENTITLED AN ACT TO AFFECT THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION AND TO FACILITATE FIRE WARNING AND SUPPLEMENTAL FIRE PROTECTION SYSTEMS IN STUDENT HOUSING, is withdrawn from the Calendar pursuant to Rule 36(a) and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 1:37 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

CALENDAR (continued)

Committee Substitute for **H.B. 1139**, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE REVIEW OF GRIEVANCES FILED BY STATE EMPLOYEES AND APPLICANTS FOR STATE EMPLOYMENT, which was temporarily displaced, is before the Body.

The bill, as amended, passes its second reading by electronic vote (85-15).

Representative Morgan objects to the third reading. The bill remains on the Calendar.

H.B. 1424, A BILL TO BE ENTITLED AN ACT TO ADD CASWELL AND PERSON COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY, which is ruled non-roll call by the Speaker, is before the Body.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CONFERENCE REPORT

Representative Buchanan sends forth the Conference Report on Committee Substitute for **S.B. 1173, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.** Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 21.

**SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996****SENATE CHAMBER**

June 20, 1996

Mr. Speaker:

Pursuant to your message received Thursday, June 20, 1996, that the House of Representatives fails to concur in Senate Amendment No. 1 to **H.B. 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR,** and requests conferees, the President Pro Tempore appoints:

Senator Simpson

Senator Kincaid

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Sylvia M. Fink

*Principal Clerk***SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996****SENATE CHAMBER**

June 20, 1996

Mr. Speaker:

The examination of the Senate Journal reveals **S.B. 1297** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CONDITIONS OF PROBATION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF CHILDREN, passed second reading on June 19 and was delivered to the House of Representatives in error not having passed third reading.

It is ordered, therefore, a message be sent to the House of Representatives respectfully recalling **S.B. 1297** to the Senate for further consideration upon its constitutionally mandated third reading.

The apologies of the Clerk.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

Without objection, the bill is withdrawn from the Committee on Judiciary I and returned to the Senate for further consideration.

CONFERENCE REPORT

Representative Thompson sends forth the Conference Report on **H.B. 1256**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR. Pursuant to Rule 44(d), the Conference Report is placed on the Calendar of June 21.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 833, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT VEHICLES MAKING FREQUENT STOPS ON HIGHWAYS BE EQUIPPED WITH FLASHING AMBER LIGHTS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 21.

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CUMBERLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Committee Substitute for **S.B. 1165**, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO REMOVE VEHICLE REGISTRATION TAX BLOCK UPON FULL PAYMENT OF PROPERTY TAXES, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 21.

S.B. 1365, A BILL TO BE ENTITLED AN ACT CONCERNING MODIFICATION OF THE MUNICIPAL LIMITS BETWEEN THE CITY OF RALEIGH AND THE TOWN OF GARNER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

S.B. 1386, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO ALLOW PAYMENT OF ASSESSMENTS OVER A LONGER PERIOD AND AT A REDUCED INTEREST RATE IN CASES OF SPECIAL FINANCIAL HARDSHIP, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 1457, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION TO EXTEND FOR ONE WEEK SINE DIE ADJOURNMENT OF THE 1995 REGULAR SESSION OF THE GENERAL ASSEMBLY TO ALLOW THE PEOPLE'S BUSINESS TO BE COMPLETED, with an unfavorable report.

The resolution is placed on the Unfavorable Calendar.

House Committee Substitute for **S.B. 905**, A BILL TO BE ENTITLED AN ACT TO AFFECT THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION AND TO FACILITATE FIRE WARNING AND SUPPLEMENTAL FIRE PROTECTION SYSTEMS IN STUDENT HOUSING, with a favorable report as to House Committee Substitute Bill No. 2, which changes the title, unfavorable as to House Committee Substitute Bill No. 1.

Pursuant to Rule 36(a), House Committee Substitute Bill No. 2 is placed on the Calendar for June 21. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 1397, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1243, A BILL TO BE ENTITLED AN ACT TO CREATE A NEW FELONY OFFENSE OF ASSAULT INFLECTING SERIOUS BODILY INJURY AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.

On motion of Representative Ellis, Amendment No. 1 is adopted by electronic vote (99-0).

The bill, as amended, passes its second reading, by electronic vote (98-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

Committee Substitute for **H.B. 1404**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS AND TO

REIMBURSE COUNTIES AND CITIES FOR THE RESULTING REVENUE LOSS, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

Representative Preston requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1204**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS F FELONY OFFENSE TO ASSAULT A LAW ENFORCEMENT, CORRECTIONAL, PROBATION, PAROLE, OR DETENTION OFFICER AND INFLICT SERIOUS BODILY INJURY AND TO CREATE A NEW CRIMINAL OFFENSE OF ASSAULTING A FIRE-FIGHTER, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.J.R. 1451, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION CONDEMNING ARSON, VANDALISM, AND BOMB THREATS AGAINST PREDOMINANTLY BLACK CHURCHES AND SUPPORTING EFFORTS TO INVESTIGATE AND SOLVE THESE CRIMES, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

H.J.R. 1453, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO RAISE THE PENALTY FOR BURNING OF RELIGIOUS STRUCTURES, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1337**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PENALTIES THAT MAY BE IMPOSED FOR

VIOLETIONS RELATING TO MOTOR VEHICLE EMISSIONS INSPEC-TIONS BASED ON WHETHER THE VEHICLE WAS INTENTIONALLY IMPROPERLY PASSED AND TO PROVIDE FOR NOTICE AND HEARING PRIOR TO SUSPENSION OR REVOCATION, AS RECOM-MENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading, by electronic vote (93-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1169, A BILL TO BE ENTITLED AN ACT TO ABOLISH AND MERGE CERTAIN BOARDS AND COMMISSIONS.

Representative Alexander offers Amendment No. 1 which fails of adoption by electronic vote (47-57).

Representatives Ellis and Boyd-McIntyre state that their voting equipment malfunctioned and request to be recorded as voting "no". These requests are granted. The adjusted vote total is (45-59).

The bill passes its second reading, by electronic vote (88-15), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.J.R. 1410, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PELEG DAMERON MIDGETT, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

House Committee Substitute No. 2 for **S.B. 855**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY.

Representative Alexander requests that she be excused from voting on this bill under Rule 24.1A, because of a conflict of interest, and this request is granted.

The bill passes its second reading by electronic vote (97-3).

Representative Aldridge states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (98-3).

Representative Hurley objects to the third reading. The bill remains on the Calendar.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Morgan withdraws his objection to the third reading of **H.B. 1139, A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE REVIEW OF GRIEVANCES FILED BY STATE EMPLOYEES AND APPLICANTS FOR STATE EMPLOYMENT.**

The bill, as amended, passes its third reading, by electronic vote (100-5), and the bill is ordered engrossed and sent to the Senate by Special Message.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Hurley withdraws his objection to the third reading of House Committee Substitute No. 2 for **S.B. 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY.**

Representative Cunningham objects to the third reading. The bill remains on the Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 233, AN ACT TO TRANSFER MOORE COUNTY TO JUDICIAL AND PROSECUTORIAL DISTRICTS 19B. (CHAPTER 589)

H.B. 540, AN ACT TO AUTHORIZE THE ISSUANCE OF NINE HUNDRED FIFTY MILLION DOLLARS GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, FOR THE CONSTRUCTION OF HIGHWAYS AND TO AMEND THE HIGHWAY TRUST FUND. (CHAPTER 590)

H.B. 686, AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES PERTAINING TO DOMESTIC VIOLENCE. (CHAPTER 591)

H.B. 1200, AN ACT TO REVISE THE PARTICIPATION FORMULA OF THE NORTH CAROLINA INSURANCE UNDERWRITING ASSOCIATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES. (CHAPTER 592)

H.B. 1157, AN ACT TO CODIFY AND CLARIFY THE STATE BOARD OF ELECTIONS' RULING CONCERNING CONTRIBUTIONS TO STATE CAMPAIGNS BY FEDERAL COMMITTEES. (CHAPTER 593)

H.B. 859, AN ACT TO REVISE THE SOLID WASTE MANAGEMENT ACT OF 1989 AND RELATED STATUTES. (CHAPTER 594)

S.B. 375, AN ACT TO ENLARGE THE MEMBERSHIP OF THE STANLY COUNTY ECONOMIC DEVELOPMENT COMMISSION. (CHAPTER 595)

S.B. 600, AN ACT TO PROVIDE STAGGERED FOUR-YEAR TERMS FOR MEMBERS OF THE STANLY COUNTY BOARD OF COMMISSIONERS. (CHAPTER 596)

S.B. 725, AN ACT TO EXEMPT RICHMOND COUNTY FROM CERTAIN RESTRICTIONS RELATING TO THE SALE OF HOSPITAL FACILITIES TO NONPROFIT CORPORATIONS. (CHAPTER 597)

S.B. 1113, AN ACT TO CHANGE THE DATE FOR THE OATH OF OFFICE FOR MEMBERS OF THE RICHMOND COUNTY BOARD OF EDUCATION. (CHAPTER 598)

S.B. 1280, AN ACT TO PERMIT ONE-STOP VOTING ON DIRECT RECORD VOTING EQUIPMENT IN WILSON COUNTY. (CHAPTER 599)

S.B. 1360, AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH

CAROLINA FOR USE AS A CORRECTIONAL FACILITY.
(CHAPTER 600)

S.B. 1409, AN ACT TO ESTABLISH THE CRIMINAL OFFENSES IN MONTGOMERY COUNTY OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW.
(CHAPTER 601)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

S.B. 534, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING SURETY BONDSMEN, BAIL BONDSMEN, AND RUNNERS, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 21. The original bill is placed on the Unfavorable Calendar.

By Representative Neely for the Committee on Judiciary II:

H.B. 1411, A BILL TO BE ENTITLED AN ACT TO PROHIBIT AN EXHIBITION FEATURING A DOG FIGHT, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 846, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADVANCE INSTRUCTION FOR MENTAL HEALTH TREATMENT, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

S.B. 1301, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS

TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE OTHER TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for June 21.

H.B. 1301, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A CHILD FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY ENTITLED TO THE CHILD'S CUSTODY AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

MOTION TO RECONSIDER VOTE

Representative Daughtry moves that the vote by which the House failed to concur in the Senate Committee Substitute for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST, be reconsidered.

Representative Decker inquires of the Chair if the motion requires a two-thirds vote. The Speaker rules that it does.

On motion of the Chair, the motion is temporarily displaced.

WITHDRAWAL OF OBJECTION TO THIRD READING

Representative Cunningham withdraws his objection to the third reading of House Committee Substitute No. 2 for **S.B. 855**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO

DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY.

Pursuant to Rule 24.1A(c), the request that Representative Alexander be excused from voting is continued.

The bill passes its third reading, by electronic vote (102-2), and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

On motion of the Chair, the House recesses at 5:49 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

MOTION TO RECONSIDER VOTE

The motion to reconsider the vote by which the House did not concur in the Senate Committee Substitute for **H.B. 1100, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST, which was temporarily displaced, is before the Body.**

The motion carries by electronic vote (78-2).

The Speaker rules the Senate committee substitute to be material.

The Speaker dismisses the House conferees.

Representative Daughtry calls the previous question on the motion and the

call is sustained by electronic vote (96-11).

Representative Wright states that his voting equipment malfunctioned and he requests to be recorded as voting "no" on the motion. This request is granted. The adjusted vote total is (95-12).

On motion of Representative Daughtry, the House concurs in the Senate committee substitute on its second roll call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: Representatives Allred, Decker, Linney, and Wood - 4.

Excused absences: Representatives Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 359**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY OFFENSE TO IMPERSONATE A LAW ENFORCEMENT OFFICER BY UNLAWFULLY OPERATING A MOTOR VEHICLE WITH AN OPERATING BLUE LIGHT, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute No. 2 for **S.B. 33**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE CRIMINAL JURISDICTION OF DISTRICT AND SUPERIOR COURT AND TO MAKE VARIOUS CRIMINAL LAW PROCEDURAL CHANGES, passes its second reading, by electronic vote (99-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

House Committee Substitute for **S.B. 981**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A ONE-TIME TAX REBATE TO EACH INDIVIDUAL TAXPAYER WHO RESIDES IN THIS STATE.

Representative Barnes inquires of the Chair if the tax rebate funds come from the surplus money that was in the budget bill. The Speaker states that the bill doesn't spend the surplus, but spends the money that was appropriated in the budget bill.

Representative Luebke offers Amendment No. 1 which is adopted by electronic vote (62-42).

Representative Russell calls the previous question on the passage of the bill and the call is sustained by electronic vote (66-38).

The bill, as amended, passes its second reading by electronic vote (67-41).

Representative Luebke objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for **S.B. 1217**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURAL WASTE.

Representative Daughtry calls the previous question on the passage of the bill and the call is sustained by electronic vote (89-15).

The bill passes its second reading, by the following vote, and there being no objection is read a third time.

Those voting in the affirmative are: Speaker Brubaker; Representatives

Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives J. Brown and Fitch - 2.

Excused absences: Representatives Beall, Blue, Fox, Hunt, Oldham, G. Robinson and Warner - 7.

The bill passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives J. Brown and Fitch - 2.

Excused absences: Representatives Beall, Blue, Fox, Hunt, Oldham, G. Robinson and Warner - 7.

S.B. 1270, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE

DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED LIMITS UP TO SEVENTY MILES PER HOUR ON DESIGNATED PARTS OF CONTROLLED ACCESS HIGHWAYS AND TO PROVIDE FOR SUSPENSION OF THE LICENSE OF A PERSON DRIVING IN EXCESS OF 80 MILES PER HOUR, passes its second reading by electronic vote (83-20).

Representative Morgan objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 838, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE YOUNG MEN'S CHRISTIAN ASSOCIATION AND THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, passes its second reading by electronic vote (106-0).

Representative Morgan objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1286, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE FORESTRY COUNCIL OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND REDEFINE ITS RESPONSIBILITIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its second reading by electronic vote (104-1).

Representative Morgan objects to the third reading. The bill remains on the Calendar.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1161, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT AND MONITOR THE PLAN FOR THE TRANSFER OF CREDITS BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.J.R. 1491, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WESLEY DAVIS WEBSTER, FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

S.J.R. 1490, A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF GRANVILLE COUNTY, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

S.J.R. 1492, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES MELVIN CREECY, FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

MESSAGE TO THE SENATE

The Speaker orders a message sent to the Senate requesting the return of Senate Committee Substitute for **H.B. 114**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY.

SUSPENSION OF RULES

On motion of Representative Morgan, Rule 36(a) is suspended in order that bills reported from standing committee today may be calendared today.

CALENDAR (continued)

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CUMBERLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

House Committee Substitute for **S.B. 1244**, A BILL TO BE ENTITLED AN ACT TO GRANT THE TOWN OF WALLACE A TEMPORARY EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell,

Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

S.B. 1397, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

S.B. 1365, A BILL TO BE ENTITLED AN ACT CONCERNING MODIFICATION OF THE MUNICIPAL LIMITS BETWEEN THE CITY OF RALEIGH AND THE TOWN OF GARNER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling,

Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 7.

Committee Substitute for **S.B. 1375**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF ELECTION OF THE WHITEVILLE CITY BOARD OF EDUCATION, passes its second reading.

Representative Morgan objects to the third reading. The bill remains on the Calendar.

S.B. 1221, A BILL TO BE ENTITLED AN ACT RELATING TO SALES OF SEIZED, UNCLAIMED PROPERTY BY THE CITY OF WINSTON-SALEM, passes its second reading.

Representative Morgan objects to the third reading. The bill remains on the Calendar.

S.B. 1222, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM RELATING TO THE SALE OF PROPERTY, passes its second reading.

Representative Morgan objects to the third reading. The bill remains on the Calendar.

S.B. 1223, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM, passes its second reading.

Representative Morgan objects to the third reading. The bill remains on the Calendar.

S.B. 1378, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO ENTER INTO CONTRACTS TO CONSTRUCT SIDEWALKS WITHIN THE COUNTY'S JURISDICTION, passes its second reading.

Representative Morgan objects to the third reading. The bill remains on the Calendar.

S.B. 1385, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DETERMINE THE NUMBER OF REGULAR MEETINGS OF THE CITY COUNCIL TO BE HELD EACH MONTH, passes its second reading.

Representative Morgan objects to the third reading. The bill remains on the Calendar.

Committee Substitute for **H.B. 1244**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT APPEAL BONDS ARE POSTED WITH THE CLERK OF THE APPELLATE COURT IN CONFORMANCE WITH THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE AND TO CLARIFY THAT THE UNDERTAKING ON APPEAL MUST BE IN WRITING, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1301**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A CHILD FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY ENTITLED TO THE CHILD'S CUSTODY AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, passes its second reading, by electronic vote (99-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

S.B. 1239, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX FREE SAMPLES OF PRESCRIPTION DRUGS DISTRIBUTED BY THE MANUFACTURER.

Representative Allred requests that he be excused from voting on this bill

pursuant to Rule 24.1A and this request is granted.

The bill passes its second reading by electronic vote (102-0).

Representative Nichols objects to the third reading. The bill remains on the Calendar.

S.B. 1151, A BILL TO BE ENTITLED AN ACT TO LESSEN THE REQUIREMENT OF INSURANCE COMPANIES TO MAINTAIN TRUST ACCOUNTS OR OBTAIN LETTERS OF CREDIT OR GUARANTY BONDS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES.

Representative Hackney objects to consideration of the public bill pursuant to Rule 35(b) and the bill remains on the Calendar.

Committee Substitute for **H.B. 1411**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT AN EXHIBITION FEATURING A DOG FIGHT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE SECOND SESSION 1996

SENATE CHAMBER

June 20, 1996

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 1139** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO MAKE AN APPROPRIATION, which

House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 1139** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS, and requests conferees. The President Pro Tempore appoints:

Senator Winner

Senator Plexico

Senator Hartsell

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Sylvia M. Fink

Principal Clerk

The Speaker appoints Representatives Grady, Chair; Preston, Rogers, Wood, and Eddins as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE SECOND SESSION 1996

SENATE CHAMBER

June 20, 1996

Mr. Speaker:

On **S.B. 1173** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the

bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

**SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996**

SENATE CHAMBER
June 20, 1996

Mr. Speaker:

On **H.B. 1256**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, it is ordered that a message be sent the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Committee Substitute for **H.B. 207**, A BILL TO BE ENTITLED AN ACT TO MAKE IT A FELONY OFFENSE TO SOLICIT A CHILD BY MEANS OF COMPUTER TO COMMIT AN UNLAWFUL SEX ACT, is returned for concurrence in Senate amendment and placed on the Calendar for June 21.

Senate Committee Substitute for **H.B. 1268**, A BILL TO BE ENTITLED AN ACT TO EXPEDITE DISPOSAL OF UNCLAIMED VEHICLES BY TOWING AND STORAGE BUSINESSES, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Senate Committee Substitute for **H.B. 1077**, A BILL TO BE ENTITLED

AN ACT RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO ALLOW EMPLOYEES ON SHELLFISH LEASES AND FRANCHISES TO WORK WITHOUT POSSESSING AN INDIVIDUAL SHELLFISH LICENSE, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 1080**, A BILL TO BE ENTITLED AN ACT TO MAKE FOX HUNTING IN CURRITUCK COUNTY CONSISTENT WITH THE REGULATIONS OF THE WILDLIFE RESOURCES COMMISSION BY REPEALING THE LAW AUTHORIZING FOX HUNTING IN CERTAIN PORTIONS OF CURRITUCK COUNTY AT ALL TIMES OF THE YEAR, is returned for concurrence in Senate amendment and placed on the Calendar for June 21.

H.B. 1270, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF POWELL ROAD IN CRAVEN COUNTY, is returned for concurrence in Senate committee substitute, and placed on the Calendar for June 21.

Upon concurrence, the Senate committee substitute changes the title.

H.B. 1372, A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A CORRECTIONAL FACILITY, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 1376**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE BAG LIMITS ON THE TRAPPING OF RACCOONS IN BEAUFORT, CRAVEN, HYDE, PAMLICO, AND PITT COUNTIES, is returned for concurrence in Senate amendment and placed on the Calendar for June 21.

Upon concurrence, the Senate amendment changes the title.

H.B. 1395, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR INITIATIVE, REFERENDUM, AND RECALL IN THE TOWN OF RIVER BEND, is returned for concurrence in Senate amendment and placed on the

Calendar for June 21.

Upon concurrence, the Senate amendment changes the title.

Senate Committee Substitute for **H.B. 1149**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS PERTAINING TO LICENSED PHYSICIAN REGISTRATION WITH THE NORTH CAROLINA MEDICAL BOARD, is returned for concurrence in Senate committee substitute and placed on the Calendar for June 21.

Upon concurrence, the Senate committee substitute changes the title.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representative J. Brown for the Committee on Agriculture:

H.B. 118, A BILL TO BE ENTITLED AN ACT TO ENCOURAGE THE COMPOSTING OF POULTRY CARCASSES AND PROVIDE AN INCOME TAX CREDIT FOR POULTRY COMPOSTING FACILITIES, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

H.B. 158, A BILL TO BE ENTITLED AN ACT TO AMEND THE SEED LAW, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Holmes and without objection, the following bills are withdrawn from the Committee on Appropriations, Subcommittee on Education, and re-referred to the Committee on Appropriations:

Committee Substitute for **H.B. 42**, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS;

H.B. 45, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS FOR THE UNIVERSITY OF

NORTH CAROLINA TO PROVIDE SUMMER INTERNSHIPS AT THE WATER RESOURCES RESEARCH INSTITUTE;

H.B. 56, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COOPERATIVE INSTITUTE FOR FISHERIES OCEANOGRAPHY TO CONTINUE THE SHELLFISH ENHANCEMENT PROGRAM;

Committee Substitute for **H.B. 74,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EDUCATION FOUNDATIONS;

H.B. 109, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HIGH SCHOOL AGE CHILDREN WHO DO NOT ATTEND SCHOOL SHALL NOT BE ELIGIBLE FOR DRIVERS LICENSES;

H.B. 110, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO PROVIDE LIABILITY INSURANCE FOR PUBLIC SCHOOL EMPLOYEES;

Committee Substitute for **H.B. 180,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE ALTERNATIVE SCHOOLS COMMITTEE OF THE LEGISLATIVE RESEARCH COMMISSION;

H.B. 224, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF CLASS-SIZE WAIVERS IN THE K-3 GRADES;

H.B. 242, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO ESTABLISH A UNIFORM REVERSION RATE UNDER THE UNC MANAGEMENT FLEXIBILITY AND ACCOUNTABILITY ACT;

H.B. 252, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING;

H.B. 334, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE RENOVATION AND EXPANSION OF THE RUDOLPH JONES STUDENT CENTER AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 335, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE CONSTRUCTION OF A FINE ARTS BUILDING AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 410, A BILL TO BE ENTITLED AN ACT TO REQUIRE TEACHERS TO WORK THREE DAYS BEYOND THE REGULAR CALENDAR YEAR TO PARTICIPATE IN STAFF DEVELOPMENT ACTIVITIES;

H.B. 544, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TEACCH PROGRAM, WHICH PROVIDES EDUCATION AND TREATMENT TO CHILDREN AND ADULTS WITH AUTISM AND OTHER COMMUNICATION HANDICAPS;

H.B. 630, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION;

H.B. 641, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR A MODEL CLINICAL TEACHING NETWORK IN EASTERN NORTH CAROLINA;

H.B. 700, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA ALCOHOLISM RESEARCH AUTHORITY;

H.B. 763, A BILL TO BE ENTITLED AN ACT TO PROVIDE LEADERSHIP, COORDINATION, AND STRUCTURE FOR AGRICULTURAL EDUCATION PROGRAMS AND FUTURE FARMERS OF AMERICA ACTIVITIES IN THE PUBLIC SCHOOLS;

H.B. 764, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMMUNITY COLLEGE CAPITAL PROJECTS;

H.B. 781, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE FUNDING OF K-12 LEGISLATIVE TUITION GRANTS TO PARENTS OF SCHOOL-AGED CHILDREN IN NORTH CAROLINA;

H.B. 794, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FORESTRY GENETICIST POSITION AT NORTH CAROLINA STATE UNIVERSITY, COLLEGE OF FOREST RESOURCES;

H.B. 803, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE EAST CAROLINA UNIVERSITY SCHOOL OF MEDICINE'S USE OF CERTAIN RECEIPTS;

H.B. 804, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SCHOOL IMPROVEMENT INCENTIVE GRANT PROGRAM;

H.B. 818, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A TOWER FOR THE UNIVERSITY OF NORTH CAROLINA CENTER FOR PUBLIC TELEVISION IN ROBESON COUNTY;

H.B. 896, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MCSMILES PROGRAM, A MOBILE PRESCHOOL PROGRAM FOR PRESCHOOL-AGED CHILDREN AND THEIR PARENTS;

H.B. 902, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PARENTS AS TEACHERS PROGRAMS;

H.B. 946, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO IMPLEMENT SALARY RANGES FOR SCHOOL CENTRAL OFFICE PERSONNEL;

H.B. 947, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO IMPLEMENT SALARY SCHEDULES FOR SCHOOL CENTRAL OFFICE PERSONNEL;

Committee Substitute for **H.B. 954**, A BILL TO BE ENTITLED AN ACT TO PERMIT PARENTS TO CHOOSE THE EDUCATIONAL SETTING THAT BEST HELPS THEIR CHILD LEARN;

H.B. 982, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FIVE HUNDRED MILLION DOLLARS FOR GRANTS TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR PUBLIC SCHOOL BUILDING CAPITAL PROJECTS;

H.B. 991, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE SERVICES TO LIMITED ENGLISH PROFICIENCY (LEP) STUDENTS;

H.B. 998, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT THE MODEL TEACHER EDUCATION CONSORTIUM;

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES TO SUPPORT ADULT LITERACY PROGRAMS;

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TURFGRASS PROGRAM AT NORTH CAROLINA STATE UNIVERSITY;

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF SOCIAL STUDIES TEXTBOOKS FOR GRADES FOUR THROUGH SEVEN OR TO USE TEXTBOOK FUNDS FOR THAT PURPOSE;

H.B. 1019, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A TEACHER TRAINING PROGRAM IN THE FIELD OF VISUAL IMPAIRMENT;

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT A NEW SALARY SCHEDULE FOR CERTIFIED SCHOOL SUPERVISORS, DIRECTORS, AND COORDINATORS;

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF PUBLIC SCHOOL TEXTBOOKS;

H.B. 1031, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR NORTH CAROLINA A&T STATE UNIVERSITY TO SUPPORT THE PIEDMONT TRIAD CENTER FOR ADVANCED MANUFACTURING AND TO THE STATE BOARD OF COMMUNITY COLLEGES TO ESTABLISH A "SEAMLESS EDUCATION PILOT PROJECT";

H.B. 1033, A BILL TO BE ENTITLED AN ACT TO CREATE THE PIEDMONT TRIAD HORIZON EDUCATION CONSORTIUM PUBLIC SCHOOL PILOT PROJECT;

H.B. 1034, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXCEPTIONAL CHILDREN;

H.B. 1035, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE CONSTRUCTION AND IMPROVEMENT OF MARINE SCIENCES FACILITIES IN CARTERET COUNTY;

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A CIVIC CENTER TO BE LOCATED AT THE JAMES SPRUNT COMMUNITY COLLEGE IN DUPLIN COUNTY;

H.B. 1040, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STATE AID TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR SCHOOL NURSES;

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DEVELOP OR PURCHASE MODEL PLANS FOR PUBLIC SCHOOLS;

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR PLANNING A NEW CLASSROOM AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 1250, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO MAKE AN APPROPRIATION; and

S.B. 431, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE CHARLOTTE-MECKLENBURG SCHOOL FUNDING PILOT.

On motion of Representative Holmes and without objection, the following bills are withdrawn from the Committee on Appropriations, Subcommittee on General Government, and re-referred to the Committee on Appropriations:

Committee Substitute for **H.B. 184,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SELF-INSURANCE TRUST FUNDS

TO PROVIDE PROFESSIONAL LIABILITY INSURANCE COVERAGE FOR STATE EMPLOYEES AND TO APPROPRIATE FUNDS TO A RESERVE FUND TO PROVIDE THE INITIAL FUNDING IF THE TRUST IS CREATED;

H.B. 256, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMUNITY-BASED PARTNERSHIP AND GRANT PROGRAM AND TO ESTABLISH A GRANTS INFORMATION NETWORK;

H.B. 263, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF DREXEL IN BURKE COUNTY FOR CONSTRUCTION OF PUBLIC FACILITIES ON THE TOWN'S FAIRGROUND PROPERTY;

H.B. 286, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS TO REINSTATE THE STUDENTS AGAINST DRIVING DRUNK (SADD) COORDINATOR POSITION;

H.B. 417, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AREA ADVOCACY CENTERS OF THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES;

H.B. 418, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO PUBLIC LIBRARIES FUND;

H.B. 500, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES, DIVISION OF STATE LIBRARY, TO PROVIDE GRANTS TO PUBLIC LIBRARIES FOR CONSTRUCTION, PLANNING, AND RENOVATION PROJECTS;

H.B. 530, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE AND EMERGENCY STABILIZATION OF THE SHOOK-SMATHERS HOUSE;

H.B. 622, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS AT THE SITE OF THE NORTH CAROLINA INDIAN CULTURAL CENTER;

H.B. 1003, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PREVENTION AND PROGRAMS;

H.B. 1004, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TRIANGLE NATIVE AMERICAN SOCIETY; and

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA MUSEUM OF HISTORY ASSOCIATES, INC., FOR THE PROMOTION OF MUSEUM MAGIC.

On motion of Representative Holmes and without objection, the following bills are withdrawn from the Committee on Appropriations, Subcommittee on Human Resources, and re-referred to the Committee on Appropriations:

H.B. 101, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING FOR IN-HOME AIDE SERVICES AND CAREGIVER SUPPORT SERVICES;

H.B. 234, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SUPPLEMENTS FOR TEACHERS IN FACILITIES OPERATED BY THE DIVISION OF YOUTH SERVICES;

H.B. 258, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO INCREASE ELIGIBILITY LIMITS FOR CHILD CARE SUBSIDIES TO ENABLE FAMILIES TO RECEIVE CHILD CARE FOR A LONGER PERIOD OF TIME AS THEY TRANSITION OFF WELFARE, AND TO APPROPRIATE FUNDS;

H.B. 260, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO AID CERTAIN WORKING PARENTS OF LOW-INCOME CHILDREN WHO ARE NOT CURRENTLY RECEIVING CHILD CARE SUBSIDIES TO RECEIVE SUBSIDIES TO ENABLE THEM TO CONTINUE TO WORK, AND TO APPROPRIATE FUNDS;

H.B. 283, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE MENTAL HEALTH STUDY COMMISSION TO APPROPRIATE FUNDS FOR OPERATING COSTS OF IMPLEMENTATION OF THE COMMISSION'S AND COALITION 2001'S PLANS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES IN NORTH CAROLINA;

H.B. 292, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR TEN CHILD MALTREATMENT RESOURCE CENTERS;

H.B. 293, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR

ADDITIONAL FOSTER CARE LICENSING AND PLACEMENT WORKERS;

H.B. 297, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR SUBSTANCE ABUSE SERVICES FOR JUVENILES UNDER SUPERVISION OF THE COURT;

H.B. 299, A BILL TO BE ENTITLED AN ACT TO EXPAND MEDICAID COVERAGE TO ALL ELDERLY AND DISABLED PEOPLE WITH INCOMES AT OR BELOW ONE HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL, AND TO APPROPRIATE FUNDS;

H.B. 363, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE STUDENT ACTIVITY CENTER AT THE EASTERN SCHOOL FOR THE DEAF;

H.B. 364, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ALZHEIMER'S UNIT AT THE NORTH CAROLINA SPECIAL CARE CENTER IN WILSON;

H.B. 379, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PENALTY FOR TRANSFER OF ASSETS IN THE STATE/COUNTY SPECIAL ASSISTANCE TO ADULTS PROGRAM;

H.B. 393, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR A GRANT-IN-AID TO THE CARING PROGRAM FOR CHILDREN;

H.B. 419, A BILL TO BE ENTITLED AN ACT TO INCREASE THE ADULT DEVELOPMENTAL ACTIVITY PROGRAM (ADAP) REIMBURSEMENT RATE TO SEVENTY PERCENT OF TOTAL COST, AND TO APPROPRIATE FUNDS;

H.B. 440, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL COSTS OF REPLACING THE OBSOLETE FOOD DELIVERY SYSTEM AT MURDOCH CENTER;

H.B. 699, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HOSPICE FOR THE CAROLINAS, INC., FOR THE PERFORMANCE OF COST-EFFECTIVENESS AND OUTCOME STUDIES;

H.B. 843, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A SKILLED NURSING FACILITY RESERVE A MEDICAID PATIENT'S BED

FOR UP TO TEN DAYS WHEN THAT PATIENT IS HOSPITALIZED;

H.B. 870, A BILL TO BE ENTITLED AN ACT TO REMOVE CHILD DAY CARE HOMES CARING FOR FEWER THAN FIVE CHILDREN FROM STATE DAY CARE REGULATION UNDER ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES;

H.B. 901, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SENIOR CENTERS;

Committee Substitute for **H.B. 936**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EMPLOYEES OF DOMICILIARY HOMES FOR THE AGED AND DISABLED AND THE DEVELOPMENTALLY DISABLED RECEIVE TRAINING IN PERSONAL CARE OF THE ELDERLY AND DISABLED AND TO REQUIRE TRAINING STANDARDS FOR FAMILY CARE HOMES;

H.B. 949, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR THE CONSTRUCTION OF A JUVENILE DETENTION CENTER IN GUILFORD COUNTY;

H.B. 979, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PILOT PROGRAM FOR GUARDIANSHIP OF THE ELDERLY AND OF ADULTS WITH DEVELOPMENTAL DISABILITIES, MENTAL ILLNESS, AND SUBSTANCE ABUSE PROBLEMS;

H.B. 985, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HEAD START PROGRAMS;

H.B. 1022, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES TO EXPAND THE "TOUCHING THE LIVES OF FAMILIES" PROGRAM;

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, FOR CAPITAL EXPENSES OF SENIOR CENTERS THROUGHOUT THE STATE;

H.B. 1024, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO SERVE "THOMAS S." CLASS

MEMBERS;

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO REQUIRE A DETERMINATION OF THE APPROPRIATE READING/WRITING MEDIUM FOR EACH VISUALLY IMPAIRED STUDENT AND TO APPROPRIATE FUNDS; and

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO FAMILIES WITH DEPENDENT CHILDREN - EMERGENCY ASSISTANCE (AFDC-EA) PROGRAM.

On motion of Representative Holmes and without objection, the following bills are withdrawn from the Committee on Appropriations, Subcommittee on Justice and Public Safety, and re-referred to the Committee on Appropriations:

H.B. 14, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF STATE FUNDS FOR THE NORTH CAROLINA RESOURCE CENTER;

H.B. 87, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO BUNK INMATES IN SHIFTS;

H.B. 88, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL PERSONNEL FOR THE DIVISION OF EMERGENCY MANAGEMENT AND THE NORTH CAROLINA CENTER FOR MISSING PERSONS;

Committee Substitute for **H.B. 232**, A BILL TO BE ENTITLED AN ACT TO MAKE VICTIM IMPACT STATEMENTS AND PLEA BARGAINING INFORMATION FOR VICTIMS MANDATORY IN ALL FELONY CASES;

H.B. 266, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PLANNING OF A NEW STATE JUDICIAL CENTER;

H.B. 267, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ENFORCEMENT OF AN ORDER FOR RESTITUTION IN A CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT;

Committee Substitute for **H.B. 271**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT MEDIATION PROGRAM FOR EQUITABLE DISTRIBUTION UNDER THE ADMINISTRATIVE OFFICE OF THE COURTS;

H.B. 294, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY

THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR MULTIDISCIPLINARY TRAINING FOR CHILD SEXUAL ABUSE INVESTIGATION;

H.B. 444, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL SUPERIOR COURT JUDGESHIP AND FIVE ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITIONS FOR MECKLENBURG COUNTY AND TO APPROPRIATE FUNDS FOR THE MECKLENBURG COUNTY DRUG COURT PROGRAM;

H.B. 497, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO THE NATIONAL GUARD FOR THE REPAIR AND MAINTENANCE OF ARMORIES AND FOR THE EDUCATIONAL ASSISTANCE PROGRAM;

H.B. 573, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE STATE BUREAU OF INVESTIGATION, THE ENFORCEMENT SECTION OF THE DIVISION OF MOTOR VEHICLES, THE ENFORCEMENT SECTION OF THE WILDLIFE RESOURCES COMMISSION, AND THE STATE CAPITOL POLICE TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, AND TO DIRECT THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO ELIMINATE FIFTY PERCENT OF MOTOR VEHICLE LAW ENFORCEMENT POSITIONS UPON TRANSFER;

H.B. 580, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MULTIJURISDICTIONAL DRUG TASK FORCES;

Committee Substitute for **H.B. 588,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO PROVIDE MEDICAL RELEASE FOR LOW-RISK OLDER INMATES;

H.B. 612, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE OFFICE OF EMERGENCY MANAGEMENT FOR THE BLUE SKY PROJECT;

H.B. 737, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT 30 AND PROSECUTORIAL DISTRICT 30 INTO DISTRICTS 30A AND 30B;

H.B. 778, A BILL TO BE ENTITLED AN ACT TO ADJUST THE COMPENSATION OF EMERGENCY SUPERIOR COURT JUDGES;

H.B. 988, A BILL TO BE ENTITLED AN ACT TO EARMARK PART OF THE DRUG TAX PROCEEDS FOR REWARDS PAID FOR TIPS REGARDING

CRIMES PURSUANT TO LOCAL CRIMESTOPPERS PROGRAMS;

H.B. 989, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR PLANNING, LAND PURCHASE, SITE DEVELOPMENT, AND CONSTRUCTION COSTS IN ESTABLISHING A JUSTICE ACADEMY IN MCDOWELL COUNTY;

H.B. 990, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE WOMEN AT RISK PROGRAM, A SUCCESSFUL COMMUNITY-BASED CORRECTIONS PROGRAM ESTABLISHED IN BUNCOMBE COUNTY;

H.B. 996, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF SUMMIT HOUSE SERVICES;

H.B. 1005, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FIFTEEN DISPUTE SETTLEMENT CENTERS ACROSS THE STATE;

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT HARNETT CORRECTIONAL INSTITUTION;

H.B. 1038, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF SIX NEW REGIONAL CORRECTIONAL FACILITIES TO CONSOLIDATE THE POPULATIONS OF PRISON FIELD UNITS WITHIN THE DEPARTMENT OF CORRECTION, TO PROVIDE FOR THE CONTRACTING OF PRIVATE PRISONS, TO PROVIDE FOR ANY SUITABLE FACILITIES REMAINING AT THE FIELD UNITS AFTER CONSOLIDATION TO BE USED TO HOUSE PRISONERS ON WORK RELEASE, AND TO PROVIDE THAT PROFITS FROM PRISON ENTERPRISES NOW GOING TO THE GENERAL FUND SHALL BE USED TO ASSIST IN THE OPERATION OF THESE WORK RELEASE FACILITIES;

H.B. 1229, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY COMMISSION ON THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY;

H.B. 1262, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION; and

S.B. 728, A BILL TO BE ENTITLED AN ACT TO REPLACE THE SUBSTANCE ABUSE PROGRAM WITHIN THE DEPARTMENT OF CORRECTION WITH THE DIVISION OF ALCOHOLISM AND CHEMICAL DEPENDENCY PROGRAMS.

On motion of Representative Holmes and without objection, the following bills are withdrawn from the Committee on Appropriations, Subcommittee on Natural and Economic Resources, and re-referred to the Committee on Appropriations:

H.B. 49, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FORESTRY HEADQUARTERS BUILDING IN TRANSYLVANIA COUNTY;

H.B. 53, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE SHELLFISH MAPPING PROGRAM;

H.B. 54, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE OFFICIAL ACTIVITIES OF THE MARINE FISHERIES COMMISSION;

H.B. 57, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE DIVISION OF MARINE FISHERIES TO INCREASE LAW ENFORCEMENT PERSONNEL;

H.B. 58, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DIVISION OF STATE PARKS AND RECREATION ENVIRONMENTAL EDUCATION PROGRAM;

H.B. 59, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF STATE PARKS AND RECREATION AREAS FOR STAFFING, SALARY, AND OTHER OPERATIONS;

H.B. 62, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL;

H.B. 153, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND

NATURAL RESOURCES TO FUND THE SHELLFISH LEASE PROGRAM;

H.B. 177, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ERADICATE HYDRILLA IN LAKE GASTON;

H.B. 219, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTRAL CANCER REGISTRY;

H.B. 285, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL COMPREHENSIVE SCHOOL-BASED ADOLESCENT HEALTH CENTERS;

Committee Substitute for **H.B. 296,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE HOME VISITING SERVICES FOR CERTAIN FAMILIES, AND TO AUTHORIZE AN INTERAGENCY COMMITTEE TO EVALUATE THE FAMILY OUTREACH PROGRAM;

H.B. 320, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS OF THE ROLLINS ANIMAL DISEASE DIAGNOSTIC LABORATORY;

H.B. 321, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR INTERNATIONAL AGRICULTURAL MARKETING;

H.B. 322, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A GRAIN GRADING TRAINING PROGRAM;

H.B. 323, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION OF MYCOPLASMA AND BACTERIOLOGY SERVICES;

H.B. 324, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR MEAT AND POULTRY INSPECTION;

H.B. 325, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 561 OF THE 1993 SESSION LAWS TO PROVIDE THAT FUNDS ALLOCATED FOR THE MEADOW BRANCH WATERSHED PROJECT IN ROBESON COUNTY SHALL NOT REVERT;

H.B. 329, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE EDWIN H. MCGEE NATURAL RESOURCES CONSERVATION CENTER IN WILKES COUNTY;

H.B. 346, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW MOTOR FUELS LABORATORY AND FOR IMPROVEMENT OF THE WEIGHTS AND MEASURES PROGRAM;

H.B. 355, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION AND IMPROVEMENT OF THE DEPARTMENT'S IRRIGATION WATER ANALYSIS AND ADVISORY SERVICE;

H.B. 356, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANDING THE ANIMAL WASTE MANAGEMENT ADVISORY SERVICES;

H.B. 384, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE BIOLOGICAL PEST CONTROL PROGRAM WITHIN THE DEPARTMENT OF AGRICULTURE;

H.B. 395, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR CRITICALLY NEEDED STAFF AND EQUIPMENT;

H.B. 414, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE PROTECTION OF THE HONEY BEE AND HONEY INDUSTRY;

H.B. 415, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUMS PROGRAM ADMINISTERED BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION;

H.B. 426, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE FARMERS MARKET IN RALEIGH;

H.B. 433, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR EXPANSION OF THE APPRENTICESHIP PROGRAM;

H.B. 460, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HEART DISEASE AND STROKE PREVENTION TASK FORCE AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT;

H.B. 474, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE TO REINSTATE THE PESTICIDE DISPOSAL PROGRAM;

H.B. 482, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 483, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR OPERATION OF THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 484, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A NEW WHOLESALE BUILDING AT THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 506, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TRAINING ENVIRONMENTAL HEALTH SPECIALISTS;

H.B. 521, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXTENSION OF THE BEAVER DAMAGE CONTROL PILOT PROGRAM;

H.B. 525, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPE FEAR RIVER PROGRAM;

H.B. 547, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A SOUTHEASTERN FARMERS' MARKET AND EQUESTRIAN/AGRICULTURAL CENTER;

H.B. 548, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT LOCAL MOSQUITO CONTROL DISTRICTS AND OTHER UNITS OF LOCAL GOVERNMENT ENGAGED IN MOSQUITO CONTROL;

H.B. 549, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE EFFORTS FOR THE PREVENTION OF AIDS;

Committee Substitute for **H.B. 551**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUM PROGRAM BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION;

H.B. 719, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENCOURAGE THE DEVELOPMENT OF THE INTERACTIVE VISUAL TECHNOLOGIES INDUSTRY IN THE STATE;

H.B. 725, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE SUPPORT FOR THE CAROLINA CHILDREN'S COMMUNICATIVE DISORDERS PROGRAM TO IMPLEMENT THE COCHLEAR IMPLANT PROCEDURE AND OTHER SERVICES FOR DEAF CHILDREN;

H.B. 741, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTORY CAP ON CHARGES FOR PROCESSING MEDICAL RECORD COPY REQUESTS;

H.B. 795, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE HEPATITIS B VACCINE FOR HIGH SCHOOL ENTRANTS;

H.B. 796, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE VACCINE FOR IMMUNIZING CHILDREN AGAINST CHICKEN POX;

H.B. 800, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAROLINA BEACH AREA SOUTH PROJECT AT KURE BEACH FOR BEACH RENOURISHMENT;

H.B. 824, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE FUNDING OF THREE SOIL SPECIALIST POSITIONS IN THE DIVISION OF SOIL AND WATER CONSERVATION IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES;

H.B. 924, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPROVE THE SANITATION PROGRAM FOR FOOD AND LODGING ESTABLISHMENTS, TO AMEND THE

INSPECTION AND GRADING REQUIREMENTS, AND TO INCREASE THE MEMBERSHIP OF THE COMMISSION FOR HEALTH SERVICES;

H.B. 1021, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, FOREST RESOURCES DIVISION, FOR THE ACQUISITION OF ADDITIONAL LAND, EQUIPMENT, AND THE CONSTRUCTION OF A FIRE CONTROL AND FOREST MANAGEMENT HEADQUARTERS IN LEE COUNTY;

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR THE BUSINESS DEVELOPMENT PROGRAM;

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR CAPITAL PROJECTS AND OTHER EXPENSES OF THE INDUSTRIAL COMMISSION;

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO EXPAND THE STAFF OF THE INDUSTRIAL COMMISSION;

Committee Substitute for **H.B. 1076**, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE FISHERY RESOURCE GRANT PROGRAM IN THE NORTH CAROLINA SEA GRANT COLLEGE PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA; and

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN ESTABLISHING AND SUPPORTING AN ASSISTANT COUNTY FOREST RANGER IN WILKES COUNTY.

On motion of Representative Holmes and without objection, the following bill is withdrawn from the Committee on Appropriations, Subcommittee on Transportation, and re-referred to the Committee on Appropriations:

H.B. 100, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING TO THE NORTH CAROLINA ELDERLY AND DISABLED TRANSPORTATION ASSISTANCE PROGRAM.

Representative Morgan moves, seconded by Representative Owens, that the House adjourn, subject to the receipt of committee reports, and in honor of Colonel Charles Brady, an astronaut from Moore County who is in space tonight, to reconvene June 21 at 11:00 a.m.

The motion carries.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Neely for the Committee on Judiciary II:

Committee Substitute for **S.B. 859**, A BILL TO BE ENTITLED AN ACT TO AMEND THE MENTAL HEALTH COMMITMENT LAW TO PROVIDE FOR DIVERSION OF POTENTIAL THOMAS S. CLASS MEMBERS TO APPROPRIATE TREATMENT, with a favorable report as to House committee substitute bill, unfavorable as to Senate committee substitute bill.

Pursuant to Rule 36(a), the House committee substitute bill is placed on the Calendar for June 21. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Without objection, the House stands adjourned at 9:29 p.m.

ONE HUNDRED THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES

Friday, June 21, 1996

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, we would all join today in expressing our gratitude to You for Your blessing that has brought us along our way through these stressful and exciting days. For the significant people upon whom we have leaned so heavily, our families, personal secretaries, and staff. Our Principal Clerk and her staff, Sergeant-at-Arms and his staff, Housekeeping and all the support groups, Pages, and guests. I especially thank You for our Speaker and all the fine men and women of this House who have been so patient and tolerant of such a prayer as I. I respect the faith of each one, whatever it may be, and I hope that You have been able to tell in spite of my unorthodox ways at times, that Jesus Christ is my Lord.

And, now, may I ask of each of you a special favor. Would you join me in giving a special blessing to someone in our midst as I dedicate this prayer to Denise Weeks and Henry Burke who are to be wed in Bermuda on August third.

Our Loving Lord, You who created man and woman for each other, established marriage, and designed the home, bless Denise and Henry as they follow Your pattern of fulfillment in their lives. Bless Henry as husband and protector. Sustain him in all the pressures of his labors. May his strength be Denise's protection, his character be her pride, and may he so live that she will find in him the haven for which the heart of woman truly longs. Bless Denise, give her tenderness, and a deep sense of understanding, and with Henry a great faith in You. Give her that inner beauty of soul that will never fade. Teach them that marriage is not merely living for each other, but through each other. May Your purpose be their purpose, and as they seek first Your Kingdom, may they not worry overly much about the other things You have promised to add. May they not expect of each other the perfection that belongs alone to You. Teach them to minimize each other's weaknesses and to maximize each other's strengths, and to see each other through love's kind and patient eyes. Send into their lives only such experiences that will develop their characters and draw them close together. Enough tears to keep them tender, enough hurts to keep them humane, enough failure to keep their hands clasped tightly within Your own, and enough success to encourage and bless them as they walk together with You. May they never take each other's love for granted, but always experience that breathless wonder that exclaims, 'Out of all this world, you have chosen me and I have chosen you'. Through Christ our Lord, Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of June 20 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (88-0).

Leaves of absence are granted Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 332, AN ACT TO CLARIFY THE DOMICILIARY AND NURSING HOME PENALTY ASSESSMENT LAW. (CHAPTER 602)

H.B. 1072, AN ACT TO IMPLEMENT THE RECOMMENDATION OF

THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO CHANGE THE NAME OF PEMBROKE STATE UNIVERSITY TO THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE. (CHAPTER 603)

S.B. 125, AN ACT TO ALLOW CANCELLATION BY EXHIBITION OF A NOTE SECURED BY A DEED OF TRUST OR MORTGAGE REGARDLESS OF THE DATE OF ENDORSEMENT. (CHAPTER 604)

S.B. 294, AN ACT TO LIMIT THE ISSUANCE AND RENEWAL OF BARBER CERTIFICATES, PERMITS, AND LICENSES, TO ESTABLISH LATE FEES FOR EXPIRED CERTIFICATES, TO MAKE CERTAIN REVISIONS TO THE LAW GOVERNING THE BOARD OF BARBER EXAMINERS AND THE SANITARY RULES, AND TO MAKE CONFORMING CHANGES TO THE COSMETIC ART ACT. (CHAPTER 605)

S.B. 1014, AN ACT REQUIRING CRIMINAL HISTORY RECORD CHECKS OF UNLICENSED APPLICANTS FOR EMPLOYMENT IN NURSING HOMES, ADULT CARE HOMES, AND HOME CARE AGENCIES. (CHAPTER 606)

H.B. 1163, AN ACT TO PROVIDE LIENS ON REAL PROPERTY FOR THE FURNISHING OF RENTAL EQUIPMENT. (CHAPTER 607)

H.B. 1159, AN ACT TO REPEAL THE SUNSET ON DESIGNATION OF EMPLOYMENT SECURITY COMMISSION OFFICES AS VOTER REGISTRATION AGENCIES AND TO PROVIDE FOR FUNDING. (CHAPTER 608)

H.B. 1207, AN ACT TO CLARIFY THE MAXIMUM PERIOD OF TIME A JUVENILE MAY BE COMMITTED IN ACCORDANCE WITH THE STRUCTURED SENTENCING ACT AS RECOMMENDED BY THE SENTENCING AND POLICY ADVISORY COMMISSION AND TO AMEND THE PROCEDURE FOR COURT-ORDERED TREATMENT OF A JUVENILE TO REQUIRE THE COUNTY TO ARRANGE FOR TREATMENT OF THE JUVENILE WHEN THE PARENT CANNOT AFFORD TO PAY THE COST. (CHAPTER 609)

H.B. 1358, AN ACT TO AUTHORIZE THE CITY OF BURLINGTON, NORTH CAROLINA, TO CONVEY CERTAIN SURPLUS PROPERTY BY PRIVATE SALE TO HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC. (CHAPTER 610)

H.B. 1371, AN ACT TO EXEMPT THE COUNTY OF JOHNSTON FROM CERTAIN STATUTORY REQUIREMENTS RELATING TO THE CONSTRUCTION OF AN ANIMAL CONTROL FACILITY. (CHAPTER 611)

H.B. 1131, AN ACT TO PERMIT EXTENSION OF CANDIDATE FILING FOR LOCAL OFFICES IN PASQUOTANK COUNTY WHEN THE COUNTY BOARD OF ELECTIONS OFFICE IS CLOSED ON THE LAST DAY FOR FILING DUE TO SEVERE WEATHER CONDITIONS. (CHAPTER 612)

H.B. 1137, AN ACT TO ALLOW THE TOWN OF FUQUAY-VARINA TO REVIEW ANY REQUEST FOR WITHDRAWAL OF DEDICATION OF ANY STREET OR STREET EASEMENT BEFORE ANY DEDICATION CAN BE WITHDRAWN. (CHAPTER 613)

H.B. 1156, AN ACT TO ALLOW THE TOWN OF MOORESVILLE TO DONATE UNCLAIMED BICYCLES TO CHARITY. (CHAPTER 614)

H.B. 1184, AN ACT RELATING TO THE DUTY OF COMMISSIONERS OF THE WASHINGTON HOUSING AUTHORITY UNDER THE PROVISIONS OF ARTICLE 1 OF CHAPTER 157 OF THE GENERAL STATUTES. (CHAPTER 615)

H.B. 1209, AN ACT TO AUTHORIZE THE CITIES OF BREVARD AND HENDERSONVILLE TO CREATE SQUIRREL SANCTUARIES FOR THE PRESERVATION OF THE "BREVARD WHITE SQUIRREL". (CHAPTER 616)

H.B. 1215, AN ACT TO AUTHORIZE THE ROCKINGHAM BOARD OF EQUALIZATION AND REVIEW TO MEET AFTER ITS FORMAL ADJOURNMENT. (CHAPTER 617)

H.B. 1219, AN ACT TO ALLOW THE COUNTY OF ALAMANCE AND THE CITIES LOCATED IN THAT COUNTY TO DONATE UNCLAIMED BICYCLES TO CHARITY. (CHAPTER 618)

H.B. 1254, AN ACT TO AMEND THE CHARTER OF THE CITY OF HAVELOCK CONCERNING THE POWERS OF THE CITY MANAGER. (CHAPTER 619)

H.B. 1279, AN ACT CONCERNING THE MANNER OF SELECTING THE MAYOR PRO TEMPORE OF THE TOWN OF MOUNT HOLLY. (CHAPTER 620)

H.B. 1384, AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF CALABASH AND TO ALLOW EXCEPTIONS TO THE HEIGHT LIMIT UPON APPROVAL BY REFERENDUM. (CHAPTER 621)

H.B. 1385, AN ACT TO PROVIDE FOR A REFERENDUM IN BRUNSWICK COUNTY ON THE QUESTIONS OF CHANGING THE TERMS OF OFFICE OF THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS AND THE BRUNSWICK COUNTY BOARD OF EDUCATION FROM TWO YEARS TO FOUR YEARS. (CHAPTER 622)

H.B. 1414, AN ACT RELATING TO THE CHARLOTTE CIVIL SERVICE BOARD. (CHAPTER 623)

H.B. 1419, AN ACT TO CHANGE THE LOCAL ALCOHOL BEVERAGE CONTROL BOARD AUDITS FROM QUARTERLY TO ANNUAL TO CONFORM TO THE GENERAL STATUTES. (CHAPTER 624)

S.B. 1161, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT AND MONITOR THE PLAN FOR THE TRANSFER OF CREDITS BETWEEN NORTH CAROLINA INSTITUTIONS OF HIGHER EDUCATION. (CHAPTER 625)

S.B. 1217, AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURAL WASTE. (CHAPTER 626)

S.J.R. 1490, A JOINT RESOLUTION HONORING JOHN CARTERET, EARL OF GRANVILLE, FOR WHOM GRANVILLE COUNTY WAS NAMED UPON THE OCCASION OF THE TWO HUNDRED FIFTIETH ANNIVERSARY OF GRANVILLE COUNTY. (RESOLUTION 23)

S.J.R. 1491, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF WESLEY DAVIS WEBSTER, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 24)

S.J.R. 1492, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES MELVIN CREECY, FORMER MEMBER OF THE GENERAL ASSEMBLY. (RESOLUTION 25)

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Thompson moves the adoption of the following Conference Report.

H.B. 1256

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, (First Edition), submit the following report: The Senate recedes from Senate Amendment 1.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 19, 1996.

*Conferees for the
Senate*

S/ Donald R. Kincaid
S/ Dan Simpson

*Conferees for the
House of Representatives*

S/ Charles Buchanan
S/ James W. Crawford, Jr.
S/ Greg J. Thompson

The Conference Report is adopted, by electronic vote (87-0), and the Senate is so notified by Special Message.

The Speaker orders the bill enrolled.

CONFERENCE REPORT

Representative Buchanan moves the adoption of the following Conference Report.

Committee Substitute for S.B. 1173

To: THE PRESIDENT OF THE SENATE

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 1173, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, Third Edition engrossed 6/3/96, submit the following report:

The House recedes from House Amendment #1, adopted 6/13/96, and the House and Senate agree to the following amendment:

on page 1, lines 11-15, rewrite those lines to read as follows:

"Sec. 2. A local board of education may schedule longer school days under Section 1 of this act only after all extra calendar days required under G.S. 115C-84(c) have been scheduled to be used as instructional days."

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: June 20, 1996.

*Conferees for the
Senate*

S/ Leslie Winner
S/ Clark Plexico
S/ Virginia Foxx

*Conferees for the
House of Representatives*

S/ Charles Buchanan
S/ Robert C. Hunter
S/ John Nichols
S/ Steve Wood
S/ Rex Baker

The Conference Report is adopted, by electronic vote (92-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

Committee Substitute for **H.B. 1080**, A BILL TO BE ENTITLED AN ACT TO MAKE FOX HUNTING IN CURRITUCK COUNTY CONSISTENT WITH THE REGULATIONS OF THE WILDLIFE RESOURCES COMMISSION BY REPEALING THE LAW AUTHORIZING FOX HUNTING IN CERTAIN

PORTIONS OF CURRITUCK COUNTY AT ALL TIMES OF THE YEAR.

On motion of Representative Owens, the House concurs in the Senate amendment, by electronic vote (98-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1270**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF POWELL ROAD IN CRAVEN COUNTY AND TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY.

On motion of Representative Edwards, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (103-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1372**, A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A CORRECTIONAL FACILITY AND TO DELAY THE EFFECTIVE DATE OF THE LAW REQUIRING THE REGISTER OF DEEDS TO COMPLY WITH MINIMUM INDEXING STANDARDS FOR LAND RECORDS MANAGEMENT IN BRUNSWICK COUNTY.

On motion of Representative Barbee, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (102-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 1376**, A BILL TO BE ENTITLED AN ACT TO REMOVE THE BAG LIMITS ON THE TRAPPING OF RACCOONS IN BEAUFORT, CRAVEN, HYDE, PAMLICO, AND PITT COUNTIES.

On motion of Representative Edwards, the House concurs in the Senate amendment, which changes the title, by electronic vote (103-0), and the bill is ordered enrolled.

H.B. 1395, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR INITIATIVE, REFERENDUM, AND RECALL IN THE TOWN OF RIVER BEND.

On motion of Representative Nichols, the House concurs in the Senate amendment, which changes the title, by electronic vote (99-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1100**, A BILL TO BE ENTITLED AN

ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST.

On motion of Representative Daughtry, the House concurs in the material Senate committee substitute, on its third roll call reading, by the following vote.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: Representatives Allred, Decker, Linney, G. Miller, and Wood - 5.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

Representative G. Miller requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (103-4).

The bill is ordered enrolled.

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

Committee Substitute for **H.B. 207**, A BILL TO BE ENTITLED AN ACT

TO MAKE IT A FELONY OFFENSE TO SOLICIT A CHILD BY MEANS OF COMPUTER TO COMMIT AN UNLAWFUL SEX ACT.

On motion of Representative Bowie, the House concurs in the Senate amendment, by electronic vote (101-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 1077**, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO ALLOW EMPLOYEES ON SHELLFISH LEASES AND FRANCHISES TO WORK WITHOUT POSSESSING AN INDIVIDUAL SHELLFISH LICENSE.

On motion of Representative Preston, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (105-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1149**, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS PERTAINING TO LICENSED PHYSICIAN REGISTRATION WITH THE NORTH CAROLINA MEDICAL BOARD.

On motion of Representative Edwards, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (104-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1268**, A BILL TO BE ENTITLED AN ACT TO EXPEDITE DISPOSAL OF UNCLAIMED VEHICLES BY TOWING AND STORAGE BUSINESSES.

On motion of Representative Bowie, the House concurs in the Senate committee substitute, by electronic vote (107-0), and the bill is ordered enrolled.

H.B. 1307, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper,

Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

H.B. 1378, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

H.B. 1390, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF

MOUNT OLIVE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

Committee Substitute for **H.B. 1422**, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

Committee Substitute for **H.B. 1138**, A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate, without engrossment, by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

H.B. 1098, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CUMBERLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps,

Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 282, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

Committee Substitute for **S.B. 662**, A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO CREATE FIRE PROTECTION DISTRICTS IN WHICH FIRE PROTECTION IS FUNDED BY FEES RATHER THAN TAXES, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 580, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF ALBEMARLE CONCERNING ASSESSMENTS FOR STREET IMPROVEMENTS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and

Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 1389, A BILL TO BE ENTITLED AN ACT TO DEANNEX AND DETACH A SMALL AREA OF LAND FROM THE CORPORATE LIMITS OF THE CITY OF ALBEMARLE, NORTH CAROLINA, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

Committee Substitute for **S.B. 598**, A BILL TO BE ENTITLED AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives,

Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

House Committee Substitute for **S.B. 1244**, A BILL TO BE ENTITLED AN ACT TO EXCLUDE THE WALLACE AIRPORT FROM CONSIDERATION AS A SATELLITE AREA IN DETERMINING THE TOTAL NONCONTIGUOUS TERRITORY THAT THE TOWN OF WALLACE MAY ANNEX, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 104.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 507, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PERMIT THE CITY COUNCIL

TO SPECIALLY ASSESS BENEFITED PROPERTY FOR THE COST OF EXTENDING WATER AND SEWER LINES TO PROPERTY LOCATED OUTSIDE OF THE CITY LIMITS WHEN REQUESTED BY THE BOARD OF COMMISSIONERS OF DURHAM COUNTY WITHOUT THE NECESSITY OF A PETITION FOR SUCH IMPROVEMENTS BEING SUBMITTED.

On motion of Representative Pulley, the bill is temporarily displaced.

S.B. 1174, A BILL TO BE ENTITLED AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE FILING DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY CONSOLIDATED BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 97.

Voting in the negative: Representatives Allred and Linney - 2.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 1365, A BILL TO BE ENTITLED AN ACT CONCERNING MODIFICATION OF THE MUNICIPAL LIMITS BETWEEN THE CITY OF RALEIGH AND THE TOWN OF GARNER, passes its third reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham,

Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

Representative Allred requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (102-0).

The bill is ordered enrolled.

S.B. 1397, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF SLOOP POINT IN PENDER COUNTY, passes its third reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

Representative Allred requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (102-0).

The bill is ordered enrolled.

S.B. 684, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF DURHAM TO AUTHORIZE THE MAKING OF EMERGENCY REPAIRS TO NONRESIDENTIAL BUILDINGS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Black, Bowie, Boyd-McIntyre, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Esposito, Fitch, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, R. Hunter, Hurley, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 95.

Voting in the negative: Representatives Berry, Creech, Davis, Ellis, Gardner, Howard, and Ives - 7.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

Committee Substitute for **S.B. 1375,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE MANNER OF ELECTION OF THE WHITEVILLE CITY BOARD OF EDUCATION, passes its third reading by electronic vote (100-0).

Representative McComas states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (101-0).

The bill is ordered enrolled.

S.B. 1221, A BILL TO BE ENTITLED AN ACT RELATING TO SALES OF SEIZED, UNCLAIMED PROPERTY BY THE CITY OF WINSTON-SALEM, passes its third reading and is ordered enrolled.

S.B. 1222, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM RELATING TO THE SALE OF PROPERTY, passes its third reading and is ordered enrolled.

S.B. 1223, A BILL TO BE ENTITLED AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM, passes its third reading and is ordered enrolled.

S.B. 1378, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO ENTER INTO CONTRACTS TO CONSTRUCT SIDEWALKS WITHIN THE COUNTY'S JURISDICTION, passes its third reading and is ordered enrolled.

S.B. 1385, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DETERMINE THE NUMBER OF REGULAR MEETINGS OF THE CITY COUNCIL TO BE HELD EACH MONTH, passes its third reading and is ordered enrolled.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Redwine, **H.B. 1396**, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE OF THE LAW REQUIRING THE REGISTER OF DEEDS TO COMPLY WITH MINIMUM INDEXING STANDARDS FOR LAND RECORDS MANAGEMENT IN BRUNSWICK COUNTY, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

S.B. 1377, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK COUNTY.

On motion of Representative Weatherly, the bill is temporarily displaced.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1181, A BILL TO BE ENTITLED AN ACT TO GRANT AUTHORITY TO THE CITY OF LUMBERTON TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

House Committee Substitute for **S.B. 1393**, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUS OF CERTIFIED EMPLOYEES OF THE MECKLENBURG COUNTY AND CATAWBA COUNTY SHERIFFS' OFFICES FOR ELIGIBILITY FOR BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute for **H.B. 1093**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, AND PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, passes its third reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Barbee, Barnes, Black, Bowen, Brawley, J. Brown, W. Brown, Buchanan, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hensley, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 93.

Voting in the negative: Representatives Baker, Berry, Edwards, Gray, Hiatt, Miner, and Thompson - 7.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt,

Oldham, G. Robinson, and Warner - 8.

Representative Boyd-McIntyre requests to be recorded as voting "aye". Representative Eddins requests to be recorded as voting "no". These requests are granted. The adjusted vote total is (93-8).

The bill is ordered sent to the Senate by Special Message.

S.B. 878, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN AIRPORT BOARDS AND COMMISSIONS TO OWN, OPERATE, AND FINANCE THE PURCHASE AND IMPROVEMENT OF WATER AND WASTEWATER SYSTEMS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

House Committee Substitute No. 2 for **S.B. 323, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT OBSERVERS AT A PRECINCT'S VOTING PLACE NEED NOT BE REGISTERED VOTERS IN THAT PRECINCT BUT SHALL BE REGISTERED VOTERS IN THE COUNTY AND TO AMEND THE LAW GOVERNING ACCESS TO VOTER REGISTRATION INFORMATION,** passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House Committee Substitute No. 2 by Special Message.

Those voting in the affirmative are: Representatives Alexander, Allred,

Arnold, Baker, Barbee, Berry, Black, Bowen, Bowie, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hackney, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Ives, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Ramsey, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 91.

Voting in the negative: Representatives Adams, Boyd-McIntyre, Cunningham, Easterling, Fitch, Hurley, Mercer, Redwine, Sutton, and Wright - 10.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 1094, A BILL TO BE ENTITLED AN ACT TO INCREASE CERTAIN FEES UNDER THE NURSING HOME ADMINISTRATOR ACT, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Barbee, Barnes, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hackney, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: Representatives Baker, Berry, Creech, and Linney - 4.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

SPEAKER BRUBAKER PRESIDING.

Committee Substitute for **S.B. 1178**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO ALLOW THE VOLUNTARY WITHHOLDING OF INCOME TAX FROM UNEMPLOYMENT COMPENSATION PAYMENTS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 104.

Voting in the negative: Representatives McComas and Wood - 2.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 1317, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONTINUED SOLVENCY OF THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND TO MAKE OTHER CHANGES TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols,

Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 103.

Voting in the negative: Representatives Baker and Linney - 2.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 1198, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS CONCERNING IMPORTS AND EXPORTS OF MOTOR FUEL UNDER THE "TAX AT THE RACK" LAWS AND TO MAKE OTHER ADJUSTMENTS TO THOSE LAWS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, W. Brown, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 105.

Voting in the negative: Representative Buchanan.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

House Committee Substitute for **S.B. 534**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING SURETY BONDSMEN, BAIL BONDSMEN, AND RUNNERS.

On motion of Representative Brawley, the bill is temporarily displaced.

H.B. 1338, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT

ONE MEMBER OF THE ENVIRONMENTAL MANAGEMENT COMMISSION SHALL HAVE EMPLOYMENT EXPERIENCE IN INDUSTRIAL AIR AND WATER POLLUTION CONTROL AT AN INDUSTRIAL MANUFACTURING FACILITY, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The bill, as amended, passes its third reading, by electronic vote (98-5), and is ordered sent to the Senate, without engrossment, by Special Message.

S.B. 1239, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX FREE SAMPLES OF PRESCRIPTION DRUGS DISTRIBUTED BY THE MANUFACTURER.

Pursuant to Rule 24.1A(c), the excused vote of Representative Allred from June 20 is continued.

The bill passes its third reading, by electronic vote (103-0), and is ordered enrolled.

House Committee Substitute for **S.B. 981**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A ONE-TIME TAX REBATE TO EACH INDIVIDUAL TAXPAYER WHO RESIDES IN THIS STATE.

Representative Morgan calls the previous question on the passage of the bill and the call is sustained by electronic vote (65-40).

The bill, as amended, passes its third reading by electronic vote (69-36).

Representative Luebke requests to be recorded as voting "no" and this request is granted. The adjusted vote total is (68-37).

The bill is sent to the Senate, without engrossment, for concurrence in House committee substitute, as amended, by Special Message.

S.B. 838, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE YOUNG MEN'S CHRISTIAN ASSOCIATION AND THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT, passes its third reading, by electronic vote (103-0), and is ordered enrolled.

S.B. 1286, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE FORESTRY COUNCIL OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND

REDEFINE ITS RESPONSIBILITIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, passes its third reading, by electronic vote (103-1), and is ordered enrolled.

S.B. 1270, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED LIMITS UP TO SEVENTY MILES PER HOUR ON DESIGNATED PARTS OF CONTROLLED ACCESS HIGHWAYS AND TO PROVIDE FOR SUSPENSION OF THE LICENSE OF A PERSON DRIVING IN EXCESS OF 80 MILES PER HOUR, passes its third reading, by electronic vote (87-17), and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1264, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILING AND REGISTRY OF CERTIFIED COPIES OF OUT-OF-STATE CUSTODY DECREES AND FOR THE VALIDATION OF CERTIFIED COPIES OF WILLS RECORDED WITHOUT PROBATE, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1278, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO IMPROVE THE DEFINITION OF "DEPENDENT JUVENILE", passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H.B. 1320, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT OF CERTIFIED MAIL NOTICE IN BOND FORFEITURE CASES, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

H.B. 1265, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA COURTS COMMISSION, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 208**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING AMENDMENTS AS RECOMMENDED BY THE SENTENCING COMMISSION, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1150, A BILL TO BE ENTITLED AN ACT TO CONFORM THE LAW GOVERNING SETOFFS WITH THE LAW GOVERNING THE RECOVERY OF PREMIUMS OWED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 1151, A BILL TO BE ENTITLED AN ACT TO LESSEN THE REQUIREMENT OF INSURANCE COMPANIES TO MAINTAIN TRUST ACCOUNTS OR OBTAIN LETTERS OF CREDIT OR GUARANTY BONDS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Holmes, Esposito, and Creech, Co-Chairs, for the Committee on Appropriations:

H.B. 1237, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE MENTAL HEALTH STUDY COMMISSION TO ENSURE AREA AUTHORITY FINANCIAL STABILITY AND DELIVERY OF ADEQUATE SERVICES TO CLIENTS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Rules, Calendar, and Operations of the House.

The committee substitute bill is re-referred to the Committee on Rules, Calendar, and Operations of the House. The original bill is placed on the Unfavorable Calendar.

RE-REFERRALS

On motion of Representative Dockham and without objection, **S.B. 1146**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING LICENSED REINSURERS FROM ASSUMING REINSURANCE FROM NONADMITTED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES AND TO MAKE CLARIFYING AMENDMENTS IN THE 1995 ASSUMPTION REINSURANCE LAW, is withdrawn from the Committee on Insurance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of Representative Dockham and without objection, **S.B. 1148**, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL COVERAGE UNDER THE NORTH CAROLINA BEACH PLAN AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is withdrawn from the Committee on Insurance and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 12:49 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

**SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996**

SENATE CHAMBER

June 21, 1996

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute Bill No. 2 to **S.B. 855**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP PREFERRED PROVIDER ORGANIZATIONS, HEALTH MAINTENANCE ORGANIZATIONS, AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 855** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY, and requests conferees. The President Pro Tempore appoints:

Senator Cooper, Chairman

Senator Soles

Senator Dannelly

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Morgan, Neely, Hill, and Edwards as conferees on the part of the House and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following special message is received from the Senate:

S.J.R. 1495, A JOINT RESOLUTION HONORING THE LIFE AND

MEMORY OF GOVERNOR JOHN MOTLEY MOREHEAD ON THE TWO HUNDREDTH ANNIVERSARY OF HIS BIRTH, is read the first time.

On motion of Representative Morgan, the rules are suspended and the resolution is placed on today's Calendar.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Decker for the Committee on Local and Regional Government II:

H.B. 621, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY FOR SPEEDING ON THE INTERSTATE HIGHWAYS IN ALAMANCE COUNTY, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

H.B. 1129, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK, CAMDEN, AND PASQUOTANK COUNTIES TO CHOOSE FROM A MENU OF LOCAL REVENUE OPTIONS, SUBJECT TO APPROVAL BY THE VOTERS OF THE RESPECTIVE COUNTY, with an indefinite postponement report.

The bill is placed on the Unfavorable Calendar.

S.B. 1263, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY AND TO RESTRICT HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

Representatives Holmes, Creech, and Esposito, Co-Chairs, for the Committee on Appropriations, report the following bills with an indefinite postponement report:

H.B. 4, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PRISON POPULATION CAP, TO RAISE THE LIMIT ON PRISON CAPACITY, TO AUTHORIZE THE PAROLE OF NONVIOLENT INMATES, TO AUTHORIZE CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN

LOCAL CONFINEMENT FACILITIES, TO ALLOW FOR THE CONTRACTING OF PRIVATE PRISONS, TO REMOVE THE LIMIT ON PRISONERS WHO MAY BE HOUSED IN NON-STATE OWNED FACILITIES, TO REMOVE THE SUNSET ON CONTRACTS WITH OUT-OF-STATE PUBLIC CORRECTIONAL FACILITIES, AND TO ALLOW THE DEPARTMENT TO USE AVAILABLE FUNDS TO PROVIDE ADDITIONAL PRISON BEDS AND EMPLOY NECESSARY STAFF;

H.B. 14, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF STATE FUNDS FOR THE NORTH CAROLINA RESOURCE CENTER;

Committee Substitute for **H.B. 42**, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS;

H.B. 45, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS FOR THE UNIVERSITY OF NORTH CAROLINA TO PROVIDE SUMMER INTERNSHIPS AT THE WATER RESOURCES RESEARCH INSTITUTE;

H.B. 49, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FORESTRY HEADQUARTERS BUILDING IN TRANSYLVANIA COUNTY;

H.B. 53, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE SHELLFISH MAPPING PROGRAM;

H.B. 54, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE OFFICIAL ACTIVITIES OF THE MARINE FISHERIES COMMISSION;

H.B. 56, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COOPERATIVE INSTITUTE FOR FISHERIES OCEANOGRAPHY TO CONTINUE THE SHELLFISH ENHANCEMENT PROGRAM;

H.B. 57, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE DIVISION OF MARINE FISHERIES TO INCREASE LAW ENFORCEMENT PERSONNEL;

H.B. 58, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DIVISION OF STATE PARKS AND RECREATION ENVIRONMENTAL EDUCATION PROGRAM;

H.B. 59, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF STATE PARKS AND RECREATION AREAS FOR STAFFING, SALARY, AND OTHER OPERATIONS;

H.B. 62, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL;

Committee Substitute for **H.B. 74,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EDUCATION FOUNDATIONS;

H.B. 87, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO BUNK INMATES IN SHIFTS;

H.B. 88, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL PERSONNEL FOR THE DIVISION OF EMERGENCY MANAGEMENT AND THE NORTH CAROLINA CENTER FOR MISSING PERSONS;

H.B. 101, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE FUNDING FOR IN-HOME AIDE SERVICES AND CAREGIVER SUPPORT SERVICES;

Committee Substitute for **H.B. 105,** A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY BENEFITS FROM THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND AND THE MONTHLY MEMBER CONTRIBUTION AND TO DECLARE THE INTENT OF THE LEGISLATURE TO PROVIDE COST-OF-LIVING INCREASES, AS FUNDS ARE AVAILABLE, AND TO UPDATE THE REFERENCE TO THE NORTH CAROLINA ASSOCIATION OF RESCUE AND EMERGENCY MEDICAL SERVICES, INC.;

Committee Substitute for **H.B. 109,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT HIGH SCHOOL AGE CHILDREN WHO DO NOT ATTEND SCHOOL SHALL NOT BE ELIGIBLE FOR DRIVERS LICENSES;

H.B. 110, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO PROVIDE LIABILITY INSURANCE FOR PUBLIC SCHOOL EMPLOYEES;

H.B. 153, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO FUND THE SHELLFISH LEASE PROGRAM;

H.B. 163, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA INTERNATIONAL FOLK FESTIVAL, INC., FOR FOLKMOOT USA;

H.B. 165, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF FOREST FIRE AIRCRAFT AND TRACTOR PLOWS;

H.B. 172, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A MARINE SCIENCES RESEARCH AND EDUCATION CENTER AT THE UNIVERSITY OF NORTH CAROLINA AT WILMINGTON;

H.B. 177, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ERADICATE HYDRILLA IN LAKE GASTON;

Committee Substitute for **H.B. 180,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE ALTERNATIVE SCHOOLS COMMITTEE OF THE LEGISLATIVE RESEARCH COMMISSION;

Committee Substitute for **H.B. 184,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION OF SELF-INSURANCE TRUST FUNDS TO PROVIDE PROFESSIONAL LIABILITY INSURANCE COVERAGE FOR STATE EMPLOYEES AND TO APPROPRIATE FUNDS TO A RESERVE FUND TO PROVIDE THE INITIAL FUNDING IF THE TRUST IS CREATED;

Committee Substitute for **H.B. 191,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A FISCAL NOTE FOR ALL PROPOSED RULES THAT HAVE A SUBSTANTIAL ECONOMIC IMPACT AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS REQUIREMENT AND TO REQUIRE AGENCIES TO BEGIN THE PROCESS OF ADOPTING A PERMANENT RULE BY PUBLISHING A NOTICE OF RULE-MAKING PROCEEDING RATHER THAN BY PUBLISHING THE PROPOSED TEXT OF A RULE CHANGE;

H.B. 219, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CENTRAL CANCER REGISTRY;

H.B. 224, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF CLASS-SIZE WAIVERS IN THE K-3 GRADES;

Committee Substitute for **H.B. 232**, A BILL TO BE ENTITLED AN ACT TO MAKE VICTIM IMPACT STATEMENTS AND PLEA BARGAINING INFORMATION FOR VICTIMS MANDATORY IN ALL FELONY CASES;

H.B. 234, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SUPPLEMENTS FOR TEACHERS IN FACILITIES OPERATED BY THE DIVISION OF YOUTH SERVICES;

Committee Substitute for **H.B. 237**, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION LAWS PERTAINING TO ACCESS TO ADOPTION RECORDS;

H.B. 242, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO ESTABLISH A UNIFORM REVERSION RATE UNDER THE UNC MANAGEMENT FLEXIBILITY AND ACCOUNTABILITY ACT;

H.B. 252, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LOW-WEALTH SCHOOL SYSTEMS' SUPPLEMENTAL FUNDING;

H.B. 256, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE COMMUNITY-BASED PARTNERSHIP AND GRANT PROGRAM AND TO ESTABLISH A GRANTS INFORMATION NETWORK;

H.B. 258, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO INCREASE ELIGIBILITY LIMITS FOR CHILD CARE SUBSIDIES TO ENABLE FAMILIES TO RECEIVE CHILD CARE FOR A LONGER PERIOD OF TIME AS THEY TRANSITION OFF WELFARE, AND TO APPROPRIATE FUNDS;

H.B. 260, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION CHILD CARE COMMITTEE TO AID CERTAIN WORKING PARENTS OF LOW-INCOME CHILDREN WHO ARE NOT CURRENTLY RECEIVING CHILD CARE SUBSIDIES TO RECEIVE SUBSIDIES TO ENABLE THEM TO CONTINUE TO WORK, AND TO APPROPRIATE FUNDS;

H.B. 263, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF DREXEL IN BURKE COUNTY FOR CONSTRUCTION OF PUBLIC FACILITIES ON THE TOWN'S

FAIRGROUND PROPERTY;

H.B. 266, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PLANNING OF A NEW STATE JUDICIAL CENTER;

H.B. 267, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ENFORCEMENT OF AN ORDER FOR RESTITUTION IN A CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT;

Committee Substitute for **H.B. 271,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT MEDIATION PROGRAM FOR EQUITABLE DISTRIBUTION UNDER THE ADMINISTRATIVE OFFICE OF THE COURTS;

H.B. 283, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE MENTAL HEALTH STUDY COMMISSION TO APPROPRIATE FUNDS FOR OPERATING COSTS OF IMPLEMENTATION OF THE COMMISSION'S AND COALITION 2001'S PLANS FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES IN NORTH CAROLINA;

H.B. 284, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO APPROPRIATE FUNDS TO ESTABLISH NEW DEGREE PROGRAMS AND TO EXPAND EXISTING DEGREE PROGRAMS IN CERTAIN ALLIED HEALTH FIELDS AT VARIOUS INSTITUTIONS OF HIGHER EDUCATION;

H.B. 285, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ADDITIONAL COMPREHENSIVE SCHOOL-BASED ADOLESCENT HEALTH CENTERS;

H.B. 286, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS TO REINSTATE THE STUDENTS AGAINST DRIVING DRUNK (SADD) COORDINATOR POSITION;

H.B. 287, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE HEALTH CARE REFORM RECOMMENDATIONS OF THE NORTH CAROLINA HEALTH PLANNING COMMISSION;

H.B. 292, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY

THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR TEN CHILD MALTREATMENT RESOURCE CENTERS;

H.B. 293, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR ADDITIONAL FOSTER CARE LICENSING AND PLACEMENT WORKERS;

H.B. 294, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR MULTIDISCIPLINARY TRAINING FOR CHILD SEXUAL ABUSE INVESTIGATION;

Committee Substitute for **H.B. 296,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE HOME VISITING SERVICES FOR CERTAIN FAMILIES, AND TO AUTHORIZE AN INTERAGENCY COMMITTEE TO EVALUATE THE FAMILY OUTREACH PROGRAM;

H.B. 297, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE CHILD FATALITY TASK FORCE TO APPROPRIATE FUNDS FOR SUBSTANCE ABUSE SERVICES FOR JUVENILES UNDER SUPERVISION OF THE COURT;

H.B. 299, A BILL TO BE ENTITLED AN ACT TO EXPAND MEDICAID COVERAGE TO ALL ELDERLY AND DISABLED PEOPLE WITH INCOMES AT OR BELOW ONE HUNDRED PERCENT OF THE FEDERAL POVERTY LEVEL, AND TO APPROPRIATE FUNDS;

H.B. 315, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ISSUANCE OF COMMUNITY COLLEGE BONDS OR NOTES AND TO APPROPRIATE THE PROCEEDS OF THESE BONDS AND NOTES FOR COMMUNITY COLLEGE CAPITAL PROJECTS;

H.B. 320, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS OF THE ROLLINS ANIMAL DISEASE DIAGNOSTIC LABORATORY;

H.B. 321, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR INTERNATIONAL AGRICULTURAL MARKETING;

H.B. 322, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A GRAIN GRADING TRAINING PROGRAM;

H.B. 323, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION OF MYCOPLASMA AND BACTERIOLOGY SERVICES;

H.B. 324, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR MEAT AND POULTRY INSPECTION;

H.B. 325, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 561 OF THE 1993 SESSION LAWS TO PROVIDE THAT FUNDS ALLOCATED FOR THE MEADOW BRANCH WATERSHED PROJECT IN ROBESON COUNTY SHALL NOT REVERT;

H.B. 329, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE EDWIN H. MCGEE NATURAL RESOURCES CONSERVATION CENTER IN WILKES COUNTY;

H.B. 334, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE RENOVATION AND EXPANSION OF THE RUDOLPH JONES STUDENT CENTER AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 335, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE CONSTRUCTION OF A FINE ARTS BUILDING AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 344, A BILL TO BE ENTITLED AN ACT TO ALLOW ADDITIONAL RETROACTIVE MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND;

H.B. 346, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW MOTOR FUELS LABORATORY AND FOR IMPROVEMENT OF THE WEIGHTS AND MEASURES PROGRAM;

H.B. 354, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HOUSING TRUST FUND;

H.B. 355, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION AND IMPROVEMENT OF THE DEPARTMENT'S IRRIGATION WATER ANALYSIS AND ADVISORY SERVICE;

H.B. 356, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANDING THE ANIMAL WASTE MANAGEMENT ADVISORY SERVICES;

H.B. 359, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CRAVEN COUNTY TO ASSIST WITH EXPENSES OF A PILOT PROJECT TO DEVELOP ON-SITE ALTERNATIVE SEWAGE TREATMENT SYSTEMS AND MANAGEMENT SCHEMES FOR THOSE SYSTEMS;

H.B. 363, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE STUDENT ACTIVITY CENTER AT THE EASTERN SCHOOL FOR THE DEAF;

H.B. 364, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN ALZHEIMER'S UNIT AT THE NORTH CAROLINA SPECIAL CARE CENTER IN WILSON;

Committee Substitute for **H.B. 365,** A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENTS THAT A CORPORATION AND A NONPROFIT CORPORATION FILE AN ANNUAL REPORT WITH AND PAY AN ANNUAL REPORT FILING FEE TO THE OFFICE OF THE SECRETARY OF STATE;

H.B. 367, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS FOR THE NORTH CAROLINA LAW ENFORCEMENT HALL OF HONOR;

Committee Substitute for **H.B. 376,** A BILL TO BE ENTITLED AN ACT TO ENHANCE THE RETIREMENT BENEFITS PAYABLE FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND TO PROVIDE FOR THE FUNDING OF THE BENEFITS AND FOR THE FUNDING OF THE DISABILITY INCOME PLAN FOR TEACHERS AND STATE EMPLOYEES, AND TO CHANGE THE INSURANCE BENEFITS FOR STATE AND LOCAL GOVERNMENTAL LAW ENFORCEMENT OFFICERS;

H.B. 379, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PENALTY FOR TRANSFER OF ASSETS IN THE STATE/COUNTY SPECIAL ASSISTANCE TO ADULTS PROGRAM;

H.B. 384, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR THE BIOLOGICAL PEST CONTROL PROGRAM WITHIN THE DEPARTMENT OF AGRICULTURE;

H.B. 391, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES;

H.B. 392, A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES;

H.B. 393, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR A GRANT-IN-AID TO THE CARING PROGRAM FOR CHILDREN;

H.B. 395, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR CRITICALLY NEEDED STAFF AND EQUIPMENT;

H.B. 410, A BILL TO BE ENTITLED AN ACT TO REQUIRE TEACHERS TO WORK THREE DAYS BEYOND THE REGULAR CALENDAR YEAR TO PARTICIPATE IN STAFF DEVELOPMENT ACTIVITIES;

H.B. 414, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE PROTECTION OF THE HONEY BEE AND HONEY INDUSTRY;

H.B. 415, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUMS PROGRAM ADMINISTERED BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION;

H.B. 417, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AREA ADVOCACY CENTERS OF THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES;

H.B. 418, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO PUBLIC LIBRARIES FUND;

H.B. 419, A BILL TO BE ENTITLED AN ACT TO INCREASE THE

ADULT DEVELOPMENTAL ACTIVITY PROGRAM (ADAP) REIMBURSEMENT RATE TO SEVENTY PERCENT OF TOTAL COST, AND TO APPROPRIATE FUNDS;

H.B. 426, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE FARMERS MARKET IN RALEIGH;

Committee Substitute for **H.B. 430,** A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A COURT MAY ORDER PAYMENT OF COSTS BY CERTAIN DEFENDANTS FOR SERVICES TO VICTIMS AND WITNESSES AND TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR ADDITIONAL VICTIM/WITNESS ASSISTANT POSITIONS;

H.B. 433, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF LABOR FOR EXPANSION OF THE APPRENTICESHIP PROGRAM;

Committee Substitute for **H.B. 439,** A BILL TO BE ENTITLED AN ACT TO ENHANCE THE BENEFITS PROVIDED UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN;

H.B. 440, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL COSTS OF REPLACING THE OBSOLETE FOOD DELIVERY SYSTEM AT MURDOCH CENTER;

H.B. 444, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN ADDITIONAL SUPERIOR COURT JUDGESHIP AND FIVE ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITIONS FOR MECKLENBURG COUNTY AND TO APPROPRIATE FUNDS FOR THE MECKLENBURG COUNTY DRUG COURT PROGRAM;

H.B. 460, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HEART DISEASE AND STROKE PREVENTION TASK FORCE AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT;

H.B. 465, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NEW HANOVER COMMUNITY HEALTH CENTER, INCORPORATED, FOR CAPITAL EXPENSES;

H.B. 474, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE TO REINSTATE THE

PESTICIDE DISPOSAL PROGRAM;

H.B. 482, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AT THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 483, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR OPERATION OF THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 484, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A NEW WHOLESALE BUILDING AT THE WESTERN NORTH CAROLINA FARMERS MARKET;

H.B. 485, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE SUPPLEMENTAL WELFARE FUND FOR FIREMEN IN FORSYTH COUNTY;

H.B. 497, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO THE NATIONAL GUARD FOR THE REPAIR AND MAINTENANCE OF ARMORIES AND FOR THE EDUCATIONAL ASSISTANCE PROGRAM;

H.B. 500, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES, DIVISION OF STATE LIBRARY, TO PROVIDE GRANTS TO PUBLIC LIBRARIES FOR CONSTRUCTION, PLANNING, AND RENOVATION PROJECTS;

H.B. 506, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TRAINING ENVIRONMENTAL HEALTH SPECIALISTS;

H.B. 521, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXTENSION OF THE BEAVER DAMAGE CONTROL PILOT PROGRAM;

H.B. 525, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPE FEAR RIVER PROGRAM;

H.B. 530, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE AND EMERGENCY STABILIZATION OF THE SHOOK-SMATHERS HOUSE;

H.B. 544, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR THE TEACCH PROGRAM, WHICH PROVIDES EDUCATION AND TREATMENT TO CHILDREN AND ADULTS WITH AUTISM AND OTHER COMMUNICATION HANDICAPS;

H.B. 547, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A SOUTHEASTERN FARMERS' MARKET AND EQUESTRIAN/AGRICULTURAL CENTER;

H.B. 548, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT LOCAL MOSQUITO CONTROL DISTRICTS AND OTHER UNITS OF LOCAL GOVERNMENT ENGAGED IN MOSQUITO CONTROL;

H.B. 549, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE EFFORTS FOR THE PREVENTION OF AIDS;

H.B. 551, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRASSROOTS SCIENCE MUSEUM PROGRAM BY THE MUSEUM OF NATURAL SCIENCES TO IMPROVE STATE PROGRAMS IN SCIENCE AND ENVIRONMENTAL EDUCATION;

H.B. 573, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE STATE BUREAU OF INVESTIGATION, THE ENFORCEMENT SECTION OF THE DIVISION OF MOTOR VEHICLES, THE ENFORCEMENT SECTION OF THE WILDLIFE RESOURCES COMMISSION, AND THE STATE CAPITOL POLICE TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, AND TO DIRECT THE SECRETARY OF CRIME CONTROL AND PUBLIC SAFETY TO ELIMINATE FIFTY PERCENT OF MOTOR VEHICLE LAW ENFORCEMENT POSITIONS UPON TRANSFER;

H.B. 579, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT PROGRAMS OF THE RURAL ECONOMIC DEVELOPMENT CENTER INC.;

H.B. 580, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MULTIJURISDICTIONAL DRUG TASK FORCES;

Committee Substitute for **H.B. 588,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO PROVIDE MEDICAL RELEASE FOR LOW-RISK OLDER INMATES;

H.B. 608, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WILMINGTON-NEW HANOVER LOCAL GOVERNMENT

STUDY COMMISSION TO ASSIST IN ITS WORK;

H.B. 612, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE OFFICE OF EMERGENCY MANAGEMENT FOR THE BLUE SKY PROJECT;

H.B. 622, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR IMPROVEMENTS AT THE SITE OF THE NORTH CAROLINA INDIAN CULTURAL CENTER;

Committee Substitute for **H.B. 624,** A BILL TO BE ENTITLED AN ACT TO REQUIRE A TWENTY-FOUR HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE ABORTION MAY BE PERFORMED, TO REQUIRE PHYSICIANS TO INFORM WOMEN OF MEDICAL RISKS, GESTATIONAL AGE, THE NAME OF THE PHYSICIAN PERFORMING THE ABORTION, AND CERTAIN OTHER INFORMATION, AND TO REQUIRE CERTAIN PRINTED MATERIALS AND REPORTS;

H.B. 630, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION;

H.B. 641, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR A MODEL CLINICAL TEACHING NETWORK IN EASTERN NORTH CAROLINA;

H.B. 699, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HOSPICE FOR THE CAROLINAS, INC., FOR THE PERFORMANCE OF COST-EFFECTIVENESS AND OUTCOME STUDIES;

H.B. 700, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA ALCOHOLISM RESEARCH AUTHORITY;

H.B. 702, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TOWN OF PEMBROKE IN PURCHASING A REPLACEMENT FIRE TRUCK;

Committee Substitute for **H.B. 719,** A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ENCOURAGE THE DEVELOPMENT OF THE INTERACTIVE VISUAL TECHNOLOGIES INDUSTRY IN THE STATE;

H.B. 725, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE SUPPORT FOR THE CAROLINA CHILDREN'S COMMUNICATIVE DISORDERS PROGRAM TO IMPLEMENT THE COCHLEAR IMPLANT PROCEDURE AND OTHER SERVICES FOR DEAF CHILDREN;

H.B. 737, A BILL TO BE ENTITLED AN ACT TO DIVIDE DISTRICT COURT DISTRICT 30 AND PROSECUTORIAL DISTRICT 30 INTO DISTRICTS 30A AND 30B;

H.B. 741, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STATUTORY CAP ON CHARGES FOR PROCESSING MEDICAL RECORD COPY REQUESTS;

H.B. 763, A BILL TO BE ENTITLED AN ACT TO PROVIDE LEADERSHIP, COORDINATION, AND STRUCTURE FOR AGRICULTURAL EDUCATION PROGRAMS AND FUTURE FARMERS OF AMERICA ACTIVITIES IN THE PUBLIC SCHOOLS;

H.B. 764, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMMUNITY COLLEGE CAPITAL PROJECTS;

Committee Substitute for **H.B. 772,** A BILL TO BE ENTITLED AN ACT TO MODIFY THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN BY ALIGNING THE FISCAL YEAR AND THE CALENDAR YEAR OF THE PLAN AND HMOS, PROVIDING LIMITED CONTRIBUTIONS FOR EMPLOYEES WHO HAVE LOST THEIR JOBS DUE TO A REDUCTION IN FORCE, ALLOWING RIF'D EMPLOYEES TO PURCHASE COVERAGE FROM THE STATE PLAN, PROVIDING PARTIAL CONTRIBUTION TOWARD DEPENDENT COVERAGE, ALLOWING MATERNITY BENEFITS TO ELIGIBLE DEPENDENTS, INCREASING THE WELLNESS BENEFIT, CHANGING THE PRESCRIPTION DRUG REIMBURSEMENT FORMULA, PLACING THE PENALTY FOR NOT SEEKING CERTIFICATION WITH THE RESPONSIBLE PARTY, ALLOWING FOR IMPROVED BENEFITS WHEN ONE INCISION IS USED FOR MORE THAN ONE PROCEDURE, OMITTING THE OFFICE VISIT COPAY FOR RETIREES ON MEDICARE, COVERING ORAL SURGERY NECESSITATED BECAUSE OF MEDICAL TREATMENT, AND TO DOUBLE THE LIFETIME MAXIMUM BENEFIT;

H.B. 778, A BILL TO BE ENTITLED AN ACT TO ADJUST THE COMPENSATION OF EMERGENCY SUPERIOR COURT JUDGES;

H.B. 781, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE FUNDING OF K-12 LEGISLATIVE TUITION GRANTS TO PARENTS OF SCHOOL-AGED CHILDREN IN NORTH CAROLINA;

H.B. 793, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HIGH COUNTRY HOST, INC., FOR OPERATING EXPENSES OF THE VISITOR AND WELCOME CENTER IN THE TOWN OF BOONE;

H.B. 794, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FORESTRY GENETICIST POSITION AT NORTH CAROLINA STATE UNIVERSITY, COLLEGE OF FOREST RESOURCES;

H.B. 795, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE HEPATITIS B VACCINE FOR HIGH SCHOOL ENTRANTS;

H.B. 796, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE VACCINE FOR IMMUNIZING CHILDREN AGAINST CHICKEN POX;

H.B. 800, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAROLINA BEACH AREA SOUTH PROJECT AT KURE BEACH FOR BEACH RENOURISHMENT;

H.B. 803, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE EAST CAROLINA UNIVERSITY SCHOOL OF MEDICINE'S USE OF CERTAIN RECEIPTS;

H.B. 804, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SCHOOL IMPROVEMENT INCENTIVE GRANT PROGRAM;

H.B. 818, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A TOWER FOR THE UNIVERSITY OF NORTH CAROLINA CENTER FOR PUBLIC TELEVISION IN ROBESON COUNT;

H.B. 824, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE FUNDING OF THREE SOIL SPECIALIST POSITIONS IN THE DIVISION OF SOIL AND WATER CONSERVATION

IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES;

H.B. 843, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A SKILLED NURSING FACILITY RESERVE A MEDICAID PATIENT'S BED FOR UP TO TEN DAYS WHEN THAT PATIENT IS HOSPITALIZED;

Committee Substitute for **H.B. 853**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO STUDY THE STATUTES RELATING TO LIENS ON TOWED AND STORED VEHICLES;

H.B. 870, A BILL TO BE ENTITLED AN ACT TO REMOVE CHILD DAY CARE HOMES CARING FOR FEWER THAN FIVE CHILDREN FROM STATE DAY CARE REGULATION UNDER ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES;

H.B. 896, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MCSMILES PROGRAM, A MOBILE PRESCHOOL PROGRAM FOR PRESCHOOL-AGED CHILDREN AND THEIR PARENTS;

H.B. 901, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SENIOR CENTERS;

H.B. 902, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PARENTS AS TEACHERS PROGRAMS;

Committee Substitute No. 2 for **H.B. 919**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE FEDERAL BRADY HANDGUN VIOLENCE PROTECTION ACT.

H.B. 924, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO IMPROVE THE SANITATION PROGRAM FOR FOOD AND LODGING ESTABLISHMENTS, TO AMEND THE INSPECTION AND GRADING REQUIREMENTS, AND TO INCREASE THE MEMBERSHIP OF THE COMMISSION FOR HEALTH SERVICES;

H.B. 925, A BILL TO BE ENTITLED AN ACT ESTABLISHING ANNUAL SALARY INCREASES FOR ELIGIBLE STATE EMPLOYEES SUBJECT TO THE STATE PERSONNEL ACT THROUGH FULL IMPLEMENTATION OF THE COMPREHENSIVE COMPENSATION SYSTEM AND PROVIDING FOR THE APPROPRIATION OF FUNDS FOR

IMPLEMENTATION OF THE SYSTEM FOR THE 1995-96 FISCAL YEAR
AND ANNUALLY THEREAFTER;

Committee Substitute for **H.B. 936**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT EMPLOYEES OF DOMICILIARY HOMES FOR THE AGED AND DISABLED AND THE DEVELOPMENTALLY DISABLED RECEIVE TRAINING IN PERSONAL CARE OF THE ELDERLY AND DISABLED AND TO REQUIRE TRAINING STANDARDS FOR FAMILY CARE HOMES;

Committee Substitute for **H.B. 938**, A BILL TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE GENERAL ASSEMBLY TO MAKE A ONE-TIME ELECTION TO EXCLUDE EXPENSE ALLOWANCES FROM THE DEFINITION OF COMPENSATION FOR PURPOSES OF COMPUTING A SERVICE RETIREMENT ALLOWANCE UNDER THE LEGISLATIVE RETIREMENT SYSTEM;

H.B. 946, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO IMPLEMENT SALARY RANGES FOR SCHOOL CENTRAL OFFICE PERSONNEL;

H.B. 947, A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO IMPLEMENT SALARY SCHEDULES FOR SCHOOL CENTRAL OFFICE PERSONNEL;

H.B. 949, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR THE CONSTRUCTION OF A JUVENILE DETENTION CENTER IN GUILFORD COUNTY;

Committee Substitute for **H.B. 953**, A BILL TO BE ENTITLED AN ACT PROVIDING EXTENDED HEALTH PLAN COVERAGE TO EMPLOYEES WHO ARE SEPARATED FROM EMPLOYMENT DUE TO REDUCTIONS IN FORCE AND OTHERWISE RELATING TO THE RIGHTS AND BENEFITS OF STATE EMPLOYEES SEPARATED FROM STATE EMPLOYMENT DUE TO REDUCTIONS IN FORCE;

Committee Substitute for **H.B. 954**, A BILL TO BE ENTITLED AN ACT TO PERMIT PARENTS TO CHOOSE THE EDUCATIONAL SETTING THAT BEST HELPS THEIR CHILD LEARN;

Committee Substitute for **H.B. 978**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO VOTING PRECINCTS AND TO

REMOVE THE SUNSET ON DESIGNATION OF UNEMPLOYMENT OFFICES AS VOTER REGISTRATION AGENCIES TO COMPLY WITH THE NATIONAL VOTER REGISTRATION ACT;

H.B. 979, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PILOT PROGRAM FOR GUARDIANSHIP OF THE ELDERLY AND OF ADULTS WITH DEVELOPMENTAL DISABILITIES, MENTAL ILLNESS, AND SUBSTANCE ABUSE PROBLEMS;

H.B. 982, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FIVE HUNDRED MILLION DOLLARS FOR GRANTS TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR PUBLIC SCHOOL BUILDING CAPITAL PROJECTS;

H.B. 983, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE HOUSING FINANCE AGENCY TO PROVIDE THE STATE MATCHING FUNDS FOR THE FEDERAL HOME PROGRAM;

H.B. 985, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HEAD START PROGRAMS;

H.B. 989, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR PLANNING, LAND PURCHASE, SITE DEVELOPMENT, AND CONSTRUCTION COSTS IN ESTABLISHING A JUSTICE ACADEMY IN MCDOWELL COUNTY;

H.B. 990, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE WOMEN AT RISK PROGRAM, A SUCCESSFUL COMMUNITY-BASED CORRECTIONS PROGRAM ESTABLISHED IN BUNCOMBE COUNTY;

H.B. 991, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE SERVICES TO LIMITED ENGLISH PROFICIENCY (LEP) STUDENTS;

H.B. 992, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CENTER FOR COMMUNITY SELF-HELP TO FURTHER A STATEWIDE PROGRAM OF LENDING FOR HOME OWNERSHIP;

H.B. 996, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF SUMMIT HOUSE SERVICES;

H.B. 998, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO SUPPORT THE MODEL TEACHER EDUCATION CONSORTIUM;

H.B. 999, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LAND ACQUISITION FOR NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 1000, A BILL TO BE ENTITLED AN ACT TO REAFFIRM THE STATE'S COMMITMENT TO CONTINUE THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO REDRAW THE REGIONAL RESIDENTIAL ATTENDANCE ZONE SERVED BY THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO ESTABLISH A HIGH SCHOOL AT THE CENTRAL NORTH CAROLINA SCHOOL FOR THE DEAF, TO REQUIRE THAT THE LEGISLATIVE RESEARCH COMMISSION STUDY THE ISSUE OF THE FUTURE OF THE SCHOOLS FOR THE DEAF AND OF THE DIVISION OF SERVICES FOR THE DEAF AND HARD OF HEARING, AND TO APPROPRIATE FUNDS;

H.B. 1003, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR DOMESTIC VIOLENCE PREVENTION AND PROGRAMS;

H.B. 1004, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TRIANGLE NATIVE AMERICAN SOCIETY;

H.B. 1005, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FIFTEEN DISPUTE SETTLEMENT CENTERS ACROSS THE STATE;

H.B. 1006, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A COMMUNITY CENTER IN THE TOWN OF FUQUAY-VARINA AND THE RENOVATION OF THE FORMER FUQUAY-VARINA ELEMENTARY SCHOOL'S GYMNASIUM;

H.B. 1007, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENSES OF THE BREVARD MUSIC CENTER IN TRANSYLVANIA COUNTY;

H.B. 1008, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES TO SUPPORT ADULT LITERACY PROGRAMS;

H.B. 1011, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TURFGRASS PROGRAM AT NORTH CAROLINA

STATE UNIVERSITY;

H.B. 1012, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 1014, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PROVIDE CONSTRUCTION AND MAINTENANCE SERVICES AT THE WESTERN RESIDENCE OF THE GOVERNOR;

H.B. 1015, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF SOCIAL STUDIES TEXTBOOKS FOR GRADES FOUR THROUGH SEVEN OR TO USE TEXTBOOK FUNDS FOR THAT PURPOSE;

H.B. 1016, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT HARNETT CORRECTIONAL INSTITUTION;

H.B. 1019, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A TEACHER TRAINING PROGRAM IN THE FIELD OF VISUAL IMPAIRMENT;

H.B. 1021, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, FOREST RESOURCES DIVISION, FOR THE ACQUISITION OF ADDITIONAL LAND, EQUIPMENT, AND THE CONSTRUCTION OF A FIRE CONTROL AND FOREST MANAGEMENT HEADQUARTERS IN LEE COUNTY;

H.B. 1022, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES TO EXPAND THE "TOUCHING THE LIVES OF FAMILIES" PROGRAM;

H.B. 1023, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF AGING, FOR CAPITAL EXPENSES OF SENIOR CENTERS THROUGHOUT THE STATE;

H.B. 1024, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES, DIVISION OF

MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO SERVE "THOMAS S." CLASS MEMBERS;

H.B. 1025, A BILL TO BE ENTITLED AN ACT TO REQUIRE A DETERMINATION OF THE APPROPRIATE READING/WRITING MEDIUM FOR EACH VISUALLY IMPAIRED STUDENT AND TO APPROPRIATE FUNDS;

H.B. 1026, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT A NEW SALARY SCHEDULE FOR CERTIFIED SCHOOL SUPERVISORS, DIRECTORS, AND COORDINATORS;

H.B. 1027, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURCHASE OF PUBLIC SCHOOL TEXTBOOKS;

H.B. 1028, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR THE BUSINESS DEVELOPMENT PROGRAM;

H.B. 1029, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND THE CLEANUP OF LEAKING PETROLEUM UNDERGROUND STORAGE TANKS;

H.B. 1031, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR NORTH CAROLINA A&T STATE UNIVERSITY TO SUPPORT THE PIEDMONT TRIAD CENTER FOR ADVANCED MANUFACTURING AND TO THE STATE BOARD OF COMMUNITY COLLEGES TO ESTABLISH A "SEAMLESS EDUCATION PILOT PROJECT";

H.B. 1033, A BILL TO BE ENTITLED AN ACT TO CREATE THE PIEDMONT TRIAD HORIZON EDUCATION CONSORTIUM PUBLIC SCHOOL PILOT PROJECT;

H.B. 1034, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EXCEPTIONAL CHILDREN;

H.B. 1035, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE CONSTRUCTION AND IMPROVEMENT OF

MARINE SCIENCES FACILITIES IN CARTERET COUNTY;

H.B. 1036, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE METROLINA FOOD BANK, INC., FOR CAPITAL AND OPERATING EXPENSES;

H.B. 1037, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA MUSEUM OF HISTORY ASSOCIATES, INC., FOR THE PROMOTION OF MUSEUM MAGIC;

H.B. 1038, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF SIX NEW REGIONAL CORRECTIONAL FACILITIES TO CONSOLIDATE THE POPULATIONS OF PRISON FIELD UNITS WITHIN THE DEPARTMENT OF CORRECTION, TO PROVIDE FOR THE CONTRACTING OF PRIVATE PRISONS, TO PROVIDE FOR ANY SUITABLE FACILITIES REMAINING AT THE FIELD UNITS AFTER CONSOLIDATION TO BE USED TO HOUSE PRISONERS ON WORK RELEASE, AND TO PROVIDE THAT PROFITS FROM PRISON ENTERPRISES NOW GOING TO THE GENERAL FUND SHALL BE USED TO ASSIST IN THE OPERATION OF THESE WORK RELEASE FACILITIES;

H.B. 1039, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A CIVIC CENTER TO BE LOCATED AT THE JAMES SPRUNT COMMUNITY COLLEGE IN DUPLIN COUNTY;

H.B. 1040, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STATE AID TO LOCAL SCHOOL ADMINISTRATIVE UNITS FOR SCHOOL NURSES;

H.B. 1041, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DEVELOP OR PURCHASE MODEL PLANS FOR PUBLIC SCHOOLS;

H.B. 1042, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEPARTMENT OF TRANSPORTATION TO CONDUCT AN ENVIRONMENTAL IMPACT STUDY OF THE O'NEAL-ROCKWOOD CONNECTOR IN THE CITY OF BURLINGTON;

Committee Substitute No. 2 for **H.B. 1043**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE FULL EMPLOYMENT PROGRAM FOR RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC), FOOD STAMPS, AND UNEMPLOYED INDIVIDUALS WITH

CHILD SUPPORT OBLIGATIONS, TO PROVIDE A NEW EMPLOYER TAX CREDIT, TO PROVIDE AN EMPLOYER CHILD CARE CENTER CONSTRUCTION TAX CREDIT, AND TO APPROPRIATE FUNDS;

H.B. 1044, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR PLANNING A NEW CLASSROOM AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 1045, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A ONE-YEAR WINDOW FOR RETIREMENT BY MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM WITH UNREDUCED BENEFITS AFTER COMPLETING TWENTY- EIGHT YEARS OF SERVICE AND TO APPROPRIATE FUNDS TO IMPLEMENT THE ACT;

H.B. 1046, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR CAPITAL PROJECTS AND OTHER EXPENSES OF THE INDUSTRIAL COMMISSION;

H.B. 1047, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO EXPAND THE STAFF OF THE INDUSTRIAL COMMISSION;

H.B. 1048, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AID TO FAMILIES WITH DEPENDENT CHILDREN - EMERGENCY ASSISTANCE (AFDC-EA) PROGRAM;

H.B. 1054, A BILL TO BE ENTITLED AN ACT TO AFFECT THE MEMBERSHIP OF THE STATE FIRE AND RESCUE COMMISSION;

H.B. 1071, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE COMPLETION OF THE SOUTHEASTERN FARMERS' MARKET AND EQUESTRIAN/AGRICULTURAL CENTER FACILITY;

Committee Substitute for **H.B. 1076**, A BILL TO BE ENTITLED AN ACT TO COORDINATE THE FISHERY RESOURCE GRANT PROGRAM IN THE NORTH CAROLINA SEA GRANT COLLEGE PROGRAM AT THE UNIVERSITY OF NORTH CAROLINA;

H.B. 1085, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN ESTABLISHING AND SUPPORTING AN ASSISTANT COUNTY FOREST RANGER IN WILKES COUNTY;

H.B. 1087, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR WORKERS' COMPENSATION FOR VOLUNTEER FIRE DEPARTMENT AND RESCUE/EMS WORKERS;

H.B. 1092, A BILL TO BE ENTITLED AN ACT TO ENHANCE COMPLIANCE AND ENFORCEMENT OF EXISTING TAX LAWS BY APPROPRIATING FUNDS TO EXPAND THE NUMBER OF AUDITORS AND SUPPORT PERSONNEL IN THE INTERSTATE AUDIT DIVISION OF THE DEPARTMENT OF REVENUE;

H.B. 1095, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF REVENUE FOR PERSONNEL TO CARRY OUT THE RESPONSIBILITY FOR COLLECTING THE GROSS PREMIUMS TAX, WHICH WAS TRANSFERRED FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE;

Committee Substitute for **H.B. 1105,** A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO CLARIFY THAT THE STATE BOARD OF EDUCATION IS TO ESTABLISH SCHOOL FACILITIES GUIDELINES, TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH A CENTRAL CLEARINGHOUSE FOR PROTOTYPE DESIGNS OF SCHOOL FACILITIES, TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH THE SCHOOL FACILITIES TASK FORCE, AND TO MAKE AN APPROPRIATION TO IMPLEMENT THIS ACT;

H.B. 1109, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE;

H.B. 1110, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE;

H.B. 1111, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A REGIONAL MEDICAL EXAMINER OFFICE IN MECKLENBURG COUNTY;

H.B. 1121, A BILL TO BE ENTITLED AN ACT TO PROVIDE POSTRETIREMENT INCREASES IN THE BENEFITS OF RETIREES AND

OTHER BENEFICIARIES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM;

H.B. 1123, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF MAXTON FOR PLANNING COSTS RELATED TO THE RESTORATION OF THE PATTERSON BUILDING, AN HISTORIC FLATIRON STRUCTURE LOCATED IN THE TOWN OF MAXTON;

H.B. 1124, A BILL TO BE ENTITLED AN ACT TO EXTEND THE BEAVER DAMAGE CONTROL PROGRAM AND TO ADD CUMBERLAND COUNTY TO THAT PROGRAM;

H.B. 1127, A BILL TO BE ENTITLED AN ACT TO INCREASE THE COMPENSATION OF THE MEMBERS OF THE PROPERTY TAX COMMISSION AND TO PROVIDE FOR REGIONAL HEARINGS;

H.B. 1151, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES FOR THE SHELLFISH SANITATION BRANCH IN THE ENVIRONMENTAL HEALTH SECTION OF THE DIVISION OF HEALTH;

H.B. 1152, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR THE PURCHASE OF THE TOWN CREEK PROPERTY SITE FOR THE EXPANSION OF THE NORTH CAROLINA MARITIME MUSEUM;

H.B. 1153, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO PROVIDE TRAINING TO STATE AND LOCAL LAW ENFORCEMENT OFFICERS IN THE IDENTIFICATION OF ACCIDENT-TRAUMA VICTIMS IN ORDER TO FACILITATE TIMELY IDENTIFICATION OF POTENTIAL ORGAN AND TISSUE DONORS AND TO PROVIDE FOR THE IDENTIFICATION OF ACCIDENT-TRAUMA VICTIMS;

H.B. 1176, A BILL TO BE ENTITLED AN ACT TO DIRECT THE USE OF UNEXPENDED FUNDS FOR THE CAPITAL COSTS OF CONSTRUCTING A FACILITY TO REPLACE THE EASTERN NORTH CAROLINA LIVESTOCK ARENA;

H.B. 1213, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS TO SUPPORT CERTAIN RECOMMENDATIONS OF THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURAL WASTE;

H.B. 1218, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION PAYMENTS FOR QUALIFIED FIREMEN AND ELIGIBLE RESCUE SQUAD WORKERS;

H.B. 1222, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DEPARTMENT OF CULTURAL RESOURCES SHALL STUDY THE HISTORIC SIGNIFICANCE OF THE PRINCEVILLE CEMETERY AND TO APPROPRIATE FUNDS FOR THE STUDY;

H.B. 1224, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE THE BEAVER MANAGEMENT ASSISTANCE PROGRAM, TO ESTABLISH IT AS A PERMANENT PROGRAM UNDER THE WILDLIFE RESOURCES COMMISSION, AND TO ADD ADDITIONAL COUNTIES TO THE COVERAGE OF THE PROGRAM;

H.B. 1229, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY COMMISSION ON THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY;

H.B. 1235, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INSTALLATION OF NONPRESSURIZED DRY FIRE HYDRANTS IN RURAL AREAS OF THE STATE;

H.B. 1236, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR PESTICIDE ENFORCEMENT;

H.B. 1238, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE CONSTRUCTION OF A FINE ARTS BUILDING AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 1239, A BILL TO BE ENTITLED AN ACT TO PROMOTE EFFICIENCY AND EFFECTIVENESS IN THE LOCAL PUBLIC HEALTH DELIVERY SYSTEM BY APPROPRIATING FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO CREATE INCENTIVES FOR SMALL COUNTY HEALTH DEPARTMENTS TO FORM DISTRICT HEALTH DEPARTMENTS;

H.B. 1250, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE

RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO MAKE AN APPROPRIATION;

H.B. 1251, A BILL TO BE ENTITLED AN ACT TO DIRECT THE APPROPRIATE STATE DEPARTMENTS HOW TO EXERCISE THE STATE'S AUTHORITY UNDER THE CLEAN WATER ACT, TO ESTABLISH THE WETLANDS RESTORATION PROGRAM AND FUND, AND TO APPROPRIATE FUNDS TO IMPLEMENT THE PROGRAM AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WETLANDS;

H.B. 1253, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF DREXEL IN BURKE COUNTY FOR CONSTRUCTION OF PUBLIC FACILITIES ON THE TOWN'S FAIRGROUND PROPERTY;

H.B. 1257, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE GOODWILL INDUSTRIES OF NORTHWEST NORTH CAROLINA, INC., TO COMPLETE ITS CAPITAL EXPANSION PLAN;

H.B. 1262, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO CONTRACT WITH THIRD PARTIES TO PROVIDE REMOTE ELECTRONIC ACCESS TO COURT INFORMATION;

H.B. 1263, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL LONGEVITY PAY STEP FOR SUPERIOR COURT JUDGES;

Committee Substitute for **H.B. 1269**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COMMUNITY COLLEGE EMPLOYEES WHO WORK THIRTY HOURS PER WEEK FOR NINE OR MORE MONTHS PER CALENDAR YEAR ARE ELIGIBLE FOR MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM;

H.B. 1273, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, DIVISION OF FOREST RESOURCES, FOR A FORESTRY HEADQUARTERS FACILITY IN MADISON COUNTY;

H.B. 1274, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA INTERNATIONAL FOLK FESTIVAL, INC., FOR FOLKMOOT USA;

H.B. 1275, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR A FOOD DISTRIBUTION BUILDING;

H.B. 1285, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF SERVICES AT SUMMIT HOUSE;

H.B. 1293, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMUNITY COLLEGES FOR THE BLADEN CENTER FOR SWINE MANAGEMENT, MEAT PROCESSING, AND ENVIRONMENTAL PROTECTION AT THE BLADEN COMMUNITY COLLEGE;

H.B. 1299, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAROLINA BEACH AREA SOUTH PROJECT AT KURE BEACH FOR BEACH RENOURISHMENT;

H.B. 1300, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT THE STATE APPROPRIATE FUNDS TO LOCAL GOVERNMENTS TO COVER THE INCREASED COST IN SALARY-RELATED ITEMS FOR EMPLOYEES IN LOCALLY OPERATED STATE-FUNDED PROGRAMS;

H.B. 1302, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ALZHEIMER'S ASSOCIATIONS;

H.B. 1303, A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR NORTH CAROLINIANS ATTENDING COMMUNITY COLLEGES AND TO MAKE AN APPROPRIATION;

H.B. 1304, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, DIVISION OF FOREST RESOURCES, TO PROVIDE AN ASSISTANT COUNTY RANGER IN PITT COUNTY;

H.B. 1305, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE INSTITUTE OF GOVERNMENT;

H.B. 1322, A BILL TO BE ENTITLED AN ACT TO CLARIFY

ELIGIBILITY UNDER THE SALARY CONTINUATION PLAN FOR EMPLOYEES OF THE DEPARTMENT OF CORRECTION;

H.B. 1323, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO REIMBURSE LOCAL CONFINEMENT FACILITIES FOR THE EXPENSES OF MAINTAINING INMATES PENDING TRANSFER TO THE STATE PRISON SYSTEM;

H.B. 1326, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A FORESTRY HEADQUARTERS IN LEE COUNTY;

H.B. 1327, A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION TO REIMBURSE COUNTIES FOR HOUSING AND TRANSPORTATION COSTS FOR INMATES AWAITING TRANSFER TO THE STATE PRISON SYSTEM;

H.B. 1329, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROVIDE THE ADDITIONAL INDEPENDENT LIVING REHABILITATION SERVICE OFFICES AND STAFF NECESSARY TO ENABLE THE INDEPENDENT LIVING REHABILITATION PROGRAM TO SERVE ALL THE COUNTIES OF NORTH CAROLINA;

H.B. 1330, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE FOR A BUSINESS INCUBATOR FOR THE CITY OF FAYETTEVILLE;

H.B. 1333, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CREATION OF THE CIVIL PROCEDURE STUDY COMMISSION;

H.B. 1336, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE GRANVILLE COUNTY BOARD OF COUNTY COMMISSIONERS FOR CONSTRUCTION OF A NEW CEMETERY IN BUTNER;

H.B. 1344, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA FUTURE FARMERS OF AMERICA CENTER;

H.B. 1352, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPROVEMENTS AND EXPANSION OF THE DEPARTMENT'S AGRONOMIC

SERVICES PROGRAM;

H.B. 1356, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE THE TECHNICAL ASSISTANCE, TRAINING, AND PUBLIC AWARENESS PROGRAMS UNDER THE MINING ACT OF 1971 AND THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 1360, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RECYCLING BUSINESS ASSISTANCE CENTER WITHIN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

H.B. 1367, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL;

H.B. 1369, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO PROVIDE ECONOMIC INCENTIVES TO NORTH CAROLINA CITIES VYING TO HOST THE CENTRAL INTERCOLLEGIATE ATHLETIC ASSOCIATION (CIAA) BASKETBALL TOURNAMENT;

H.B. 1374, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR THE BUSINESS DEVELOPMENT PROGRAM;

H.B. 1382, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF WELDON FOR A NEW BOATING SLIP AND HARBOR;

H.B. 1386, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A NEW ASSISTANT COUNTY FOREST RANGER POSITION IN RANDOLPH COUNTY;

H.B. 1387, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FUEL TAX ON GASOLINE USED IN BOATS AT LAKE NORMAN SHALL BE DISTRIBUTED ANNUALLY TO THE LAKE NORMAN MARINE COMMISSION FOR WATER SAFETY PROGRAMS ON

LAKE NORMAN;

H.B. 1391, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR REPAIR AND RENOVATIONS AT NORTH CAROLINA CENTRAL UNIVERSITY, NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY, AND FAYETTEVILLE STATE UNIVERSITY;

H.B. 1392, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO EXPAND THE "TOUCHING THE LIVES OF FAMILIES" PROGRAM;

H.B. 1398, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW EXHIBIT AT THE NORTH CAROLINA MUSEUM OF LIFE AND SCIENCE;

H.B. 1405, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE CONSTRUCTION OF THE CORE SOUND WATERFOWL MUSEUM;

H.B. 1406, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO EQUALIZE THE SALARIES OF CERTAIN LAW ENFORCEMENT PERSONNEL OF THE DEPARTMENT;

H.B. 1407, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PLANNING AND DESIGNING A NEW CLASSROOM BUILDING AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 1409, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS AT NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY;

H.B. 1416, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, FOREST RESOURCES DIVISION, FOR A FORESTRY HEADQUARTERS IN THE CITY OF FAYETTEVILLE;

H.B. 1427, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE AGRICULTURAL FINANCE AUTHORITY FOR THE

RESERVE FOR FARM LOANS;

H.B. 1430, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FROM THE HIGHWAY TRUST FUND FOR AN AUTHORIZED PURPOSE;

H.B. 1431, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES AT THE CENTER FOR APPLIED TEXTILE TECHNOLOGY;

H.B. 1432, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE INTERDISCIPLINARY DIABETES PROGRAM AT THE SCHOOL OF MEDICINE AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL;

H.B. 1439, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILD CARE FOR LOW-INCOME WORKING FAMILIES;

H.B. 1442, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR RENOVATION OF THE L. R. HARRILL YOUTH CENTER AT THE STATE FAIRGROUNDS;

H.B. 1443, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DEPARTMENT OF CORRECTION FROM USING APPROPRIATED FUNDS TO PURCHASE EXERCISE EQUIPMENT FOR USE BY PRISONERS, TO PROHIBIT THE DEPARTMENT FROM OTHERWISE PROVIDING OR PERMITTING SUCH EQUIPMENT IN ANY OF ITS FACILITIES AND TO REQUIRE THAT THE DEPARTMENT DISPOSE OF EXISTING EQUIPMENT;

H.B. 1444, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FARMVILLE PUBLIC LIBRARY FOR CAPITAL EXPENSES;

H.B. 1446, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF A CAPITAL IMPROVEMENT PROJECT AT FAYETTEVILLE STATE UNIVERSITY;

H.B. 1448, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPE FEAR RIVER PROGRAM;

H.B. 1450, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR RENOVATION AT THE CHARLOTTE HAWKINS BROWN MEMORIAL STATE HISTORIC SITE;

S.B. 431, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SUNSET ON THE CHARLOTTE-MECKLENBURG SCHOOL FUNDING PILOT;

House Committee Substitute for **S.B. 695,** A BILL TO BE ENTITLED AN ACT TO CREATE THE BLUE RIBBON STUDY COMMISSION ON AGRICULTURE WASTE; and

S.B. 728, A BILL TO BE ENTITLED AN ACT TO REPLACE THE SUBSTANCE ABUSE PROGRAM WITHIN THE DEPARTMENT OF CORRECTION WITH THE DIVISION OF ALCOHOLISM AND CHEMICAL DEPENDENCY PROGRAMS.

The bills reported from the Committee on Appropriations with an indefinite postponement report are placed on the Unfavorable Calendar.

Representative Ellis for the Committee on Local and Regional Government I, reports the following bills with an indefinite postponement report:

H.B. 620, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS;

H.B. 633, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE WAKE COUNTY PUBLIC SCHOOL SYSTEM FROM CERTAIN STATUTORY REQUIREMENTS IN SOME SCHOOL CONSTRUCTION CONTRACTS;

H.B. 652, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM CONCERNING THE VOTE REQUIRED BY THE BOARD OF ADJUSTMENT TO TAKE CERTAIN ACTION;

H.B. 653, A BILL TO BE ENTITLED AN ACT TO AMEND THE FAIR EMPLOYMENT, PUBLIC ACCOMMODATIONS, AND FAIR HOUSING PROVISIONS OF THE CITY OF DURHAM TO PROVIDE FOR THE CITY TAKING CERTAIN ACTIONS FOR JUST CAUSE;

H.B. 654, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF DURHAM AND COUNTY OF DURHAM TO SUBMIT PROPOSALS

AND RECEIVE CONTRACTS FOR CONSTRUCTION OR REPAIR WORK OF THE CITY, COUNTY, OTHER LOCAL GOVERNMENTS, AGENCIES OF GOVERNMENT, AND NONPROFIT CORPORATIONS AND ORGANIZATIONS;

H.B. 670, A BILL TO BE ENTITLED AN ACT RELATING TO LOCAL GOVERNMENTS IN ORANGE COUNTY;

H.B. 703, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF ROUGEMONT;

H.B. 704, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON INVOLUNTARY ANNEXATIONS WITHIN CERTAIN COUNTIES;

H.B. 705, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PEOPLE OF ALAMANCE COUNTY TO PROPOSE BY PETITION AND ADOPT AT AN ELECTION PROPOSED INITIATIVE ORDINANCES AND RESOLUTIONS; and

H.B. 717, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE ASHEVILLE CITY COUNCIL AND MAYOR SHALL SELECT AND REMOVE HOUSING AUTHORITY COMMISSIONERS, AND TO PROVIDE THAT THE ASHEVILLE CITY COUNCIL MAY NOT DESIGNATE A HOUSING AUTHORITY OR ITSELF TO ACT AS A REDEVELOPMENT COMMISSION IN LIEU OF CREATING A REDEVELOPMENT COMMISSION.

The bills reported from the Committee on Local and Regional Government I with an indefinite postponement report are placed on the Unfavorable Calendar.

Representative Neely for the Committee on Judiciary II, reports the following bills with an indefinite postponement report:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE RUNOFF PRIMARY;

H.B. 25, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ELECTION LAWS REVIEW COMMISSION;

H.B. 26, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE EXTRA CONTRIBUTION-LIMIT PERIOD FOR THE SECOND PRIMARY FOR CANDIDATES WHO ARE NOT ON THE BALLOT IN A

SECOND PRIMARY;

H.B. 27, A BILL TO BE ENTITLED AN ACT TO STREAMLINE, SIMPLIFY, AND MODERNIZE THE ABSENTEE VOTING LAWS, AND TO CONFORM TO FEDERAL LAWS ON ABSENTEE VOTING;

H.B. 28, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT INFORMATION TO BE REPORTED CONCERNING CAMPAIGN CONTRIBUTORS SHALL INCLUDE OCCUPATION, EMPLOYER'S NAME, AND BUSINESS ADDRESS;

H.B. 29, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE EXEMPTION FROM CAMPAIGN CONTRIBUTION LIMITS FOR GIFTS BY A POLITICAL PARTY EXECUTIVE COMMITTEE;

H.B. 30, A BILL TO BE ENTITLED AN ACT TO AMEND THE CAMPAIGN LAWS TO CHANGE THE SYSTEM OF POSTPRIMARY REPORTING FOR STATEWIDE NONJUDICIAL CANDIDATES AND FOR CANDIDATES FOR THE GENERAL ASSEMBLY;

H.B. 31, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE EXEMPTION OF CONTRIBUTIONS BY FAMILY MEMBERS FROM THE LIMIT ON CONTRIBUTIONS TO A CANDIDATE;

H.B. 32, A BILL TO BE ENTITLED AN ACT TO TRANSFER THE CALENDARING AUTHORITY FOR CRIMINAL CASES IN SUPERIOR COURT TO THE SENIOR RESIDENT SUPERIOR COURT JUDGE AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CRIMINAL LAW;

H.B. 40, A BILL TO BE ENTITLED AN ACT TO PROTECT THE CITIZENS OF NORTH CAROLINA FROM PEOPLE WHO COMMIT ACTS OF VIOLENCE;

H.B. 75, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A TOLL-FREE NUMBER FOR PERSONS TO REPORT CAMPAIGN SIGNS WHICH HAVE NOT BEEN REMOVED ON A TIMELY BASIS AFTER THE ELECTION CYCLE, AND TO PROVIDE FOR RAISING REVENUE BY LEVYING A CIVIL PENALTY ON PERSONS WHO HAVE FAILED TO REMOVE THE SIGNS;

H.B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE POLICY ON EMPLOYMENT OF PRISONERS;

H.B. 93, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LIMITATIONS ON FUND-RAISING DURING LEGISLATIVE SESSIONS;

H.B. 96, A BILL TO BE ENTITLED AN ACT TO IMPOSE CRIMINAL PENALTIES FOR THE ABUSE, NEGLECT, OR EXPLOITATION OF DISABLED OR ELDER ADULTS LIVING IN A DOMESTIC SETTING;

H.B. 102, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN VOTER REGISTRATION LAWS AND OTHER ELECTION LAWS;

H.B. 125, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE SECRETARY OF CORRECTION TO ENTER CERTAIN CONTRACTS FOR THE HOUSING OF STATE PRISONERS IN LOCAL CONFINEMENT FACILITIES;

H.B. 155, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO PROVIDE FOR VICTIM IMPACT STATEMENTS FOR PRESENTATION TO THE COURT, TO ORDER RESTITUTION TO VICTIMS WHERE APPROPRIATE, TO MAKE RESTITUTION A FIRST PRIORITY, AND TO EXTEND PROBATION FOR THE PAYMENT OF RESTITUTION;

H.B. 156, A BILL TO BE ENTITLED AN ACT TO MODIFY MISDEMEANOR STRUCTURED SENTENCING STATUTES TO PERMIT AN ACTIVE SENTENCE EQUAL TO OR LESS THAN TIME SERVED;

H.B. 157, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING AMENDMENTS AS RECOMMENDED BY THE SENTENCING COMMISSION;

H.B. 249, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE MAXIMUM PERIOD OF TIME A JUVENILE MAY BE COMMITTED IN ACCORDANCE WITH STRUCTURED SENTENCING;

H.B. 250, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S STUDY COMMITTEE ON THE JUVENILE CODE TO ALLOW COURTS TO ORDER PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF PARENTS OF JUVENILES ADJUDICATED DELINQUENT, UNDISCIPLINED, ABUSED, NEGLECTED, OR DEPENDENT AT THE DISPOSITIONAL HEARINGS OR SUBSEQUENT HEARINGS AND TO PROVIDE FOR NOTICE;

H.B. 253, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON ALCOHOLIC BEVERAGE CONTROL;

H.B. 254, A BILL TO BE ENTITLED AN ACT TO ADOPT A SPEEDY TRIAL LAW FOR CRIMINAL CASES IN SUPERIOR COURT;

H.B. 362, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MENTALLY RETARDED PERSON CONVICTED OF FIRST DEGREE MURDER SHALL NOT BE SENTENCED TO DEATH;

H.B. 382, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE REPORTING OF ENDORSEMENTS BY THE MEDIA AS INDEPENDENT CAMPAIGN EXPENDITURES;

H.B. 427, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CRITERIA FOR SELECTION AND SENTENCING TO IMPACT;

H.B. 435, A BILL TO BE ENTITLED AN ACT RELATING TO APPOINTMENTS TO THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AMENDING THE LAWS RELATING TO THE POWERS OF AND APPEALS BEFORE THE SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, AND OTHERWISE PERTAINING TO CHAPTER 17E OF THE GENERAL STATUTES;

H.B. 436, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA DRUG TREATMENT COURT PROGRAM;

H.B. 735, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR CERTAIN MISDEMEANORS IF THEY ARE COMMITTED AS ACTS OF DOMESTIC VIOLENCE AND TO PROVIDE THAT A JUDGE IS THE ONLY JUDICIAL OFFICIAL WHO MAY SET CONDITIONS OF PRETRIAL RELEASE FOR CRIMES OF DOMESTIC VIOLENCE;

H.B. 775, A BILL TO BE ENTITLED AN ACT TO UPDATE THE STATUTORY MORTALITY TABLES USED AS EVIDENCE;

H.B. 801, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIMINAL OFFENSE OF HIV ASSAULT;

H.B. 811, A BILL TO BE ENTITLED AN ACT TO REPEAL JUDICIAL REVIEW OF LIFE SENTENCES WITHOUT PAROLE AFTER TWENTY-FIVE YEARS AND EVERY TWO YEARS THEREAFTER AND TO

PROVIDE THAT A PERSON WHO MURDERS A LAW ENFORCEMENT OFFICER, A CORRECTIONAL OFFICER, A DISTRICT ATTORNEY, AN ASSISTANT DISTRICT ATTORNEY, A JUSTICE, OR A JUDGE IS GUILTY OF A CAPITAL OFFENSE, PUNISHABLE BY DEATH OR LIFE IMPRISONMENT WITHOUT PAROLE;

H.B. 838, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR SCHOOL-RELATED CAPITAL IMPROVEMENTS;

H.B. 840, A BILL TO BE ENTITLED AN ACT TO REQUIRE CANDIDATES FOR ELECTIVE OFFICE TO CERTIFY THAT THEY MEET THE QUALIFICATIONS FOR OFFICE AND TO ALLOW CHALLENGES TO CANDIDATES' QUALIFICATIONS;

H.B. 876, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE COMMON-LAW RULE THAT AN INSTRUMENT CONVEYING AN INTEREST IN REAL PROPERTY MUST BE UNDER SEAL;

H.B. 937, A BILL TO BE ENTITLED AN ACT TO LIMIT APPLICATION OF MINIMUM JAIL SPACE STANDARDS TO FACILITIES OPENED WITHIN SIX MONTHS OF A CHANGE IN THOSE STANDARDS;

H.B. 962, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SENTENCE OF LIFE IMPRISONMENT WITHOUT PAROLE FOR PERSONS CONVICTED OF TRAFFICKING IN ILLEGAL DRUGS, TO DECLARE THAT A HOUSE OR BUILDING IN A RESIDENTIAL AREA THAT IS THE SCENE OF ILLEGAL DRUG-RELATED ACTIVITIES IS A PUBLIC NUISANCE, TO PROVIDE THAT IT IS A CLASS 1 MISDEMEANOR FOR A PERSON TO LOITER IN A PUBLIC AREA TO ENGAGE IN ILLEGAL DRUG-RELATED ACTIVITIES, AND TO PROVIDE THAT A PERSON WHO TESTIFIES AGAINST A DEFENDANT CHARGED WITH A DRUG TRAFFICKING OFFENSE SHALL BE GRANTED IMMUNITY;

Committee Substitute for **H.B. 1117,** A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW;

H.B. 1255, A BILL TO BE ENTITLED AN ACT TO RECLASSIFY OR CHANGE THE PENALTIES FOR VARIOUS CRIMINAL OFFENSES AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION;

H.B. 1284, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ENFORCEMENT OF RESTITUTION IN A CRIMINAL CASE IN THE SAME MANNER AS A CIVIL JUDGMENT, TO CREATE AN EXCEPTION TO THE STATUTORY EXEMPTIONS FOR EXECUTION OF SUCH A JUDGMENT, AND TO CHANGE THE ORDER OF PRIORITY FOR DISBURSEMENT OF FUNDS IN A CRIMINAL CASE;

H.B. 1325, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CONDITIONS OF PROBATION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF CHILDREN; and

H.B. 1353, A BILL TO BE ENTITLED AN ACT TO DECREASE THE PERIOD OF TIME IN DOMESTIC VIOLENCE CASES THAT A DEFENDANT MAY BE HELD IN CUSTODY WITHOUT A DETERMINATION OF PRETRIAL RELEASE BY A JUDGE.

The bills reported from the Committee on Judiciary II with an indefinite postponement report are placed on the Unfavorable Calendar.

On motion of the Chair, the House recesses at 2:45 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance, report the following bills with an indefinite postponement report:

H.B. 35, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX RELIEF AND ECONOMIC COMPETITIVENESS FOR NORTH CAROLINA;

H.B. 144, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES REFUNDS IN FIVE ANNUAL INSTALLMENTS, WITHOUT INTEREST, FOR INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988;

H.B. 179, A BILL TO BE ENTITLED AN ACT TO CREDIT THE INTEREST AND OTHER INVESTMENT INCOME EARNED BY THE

SAVINGS RESERVE ACCOUNT AND THE REPAIRS AND RENOVATIONS RESERVE ACCOUNT TO THOSE RESPECTIVE ACCOUNTS INSTEAD OF TO THE GENERAL FUND;

Committee Substitute for **H.B. 238**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LICENSING OF DEALERS IN POULTRY AND RATITES;

H.B. 307, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS;

Committee Substitute for **H.B. 342**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE;

H.B. 397, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SALES TAX ON FOOD;

Committee Substitute for **H.B. 475**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CAPITAL ACCESS AUTHORITY TO PROVIDE EQUITY AND CREDIT FINANCING TO SMALL AND MEDIUM-SIZED BUSINESSES TO CREATE JOBS FOR NORTH CAROLINA;

Committee Substitute for **H.B. 478**, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM;

H.B. 518, A BILL TO BE ENTITLED AN ACT TO GRANT THE CITY OF WASHINGTON AN EXEMPTION FROM THE TOTAL AMOUNT OF NONCONTIGUOUS TERRITORY THAT MAY BE ANNEXED;

Committee Substitute for **H.B. 531**, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN SECURITIES TRANSACTIONS FROM THE STATE REGISTRATION REQUIREMENTS;

H.B. 538, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF FREE REGISTRATION PLATES TO RECIPIENTS OF THE PURPLE HEART MEDAL;

H.B. 675, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CURRITUCK COUNTY TO LEVY A PREPARED FOOD AND BEVERAGE

TAX;

H.B. 712, A BILL TO BE ENTITLED AN ACT TO REDUCE THE MOTOR VEHICLE TAX IN THE TOWN OF MATTHEWS FROM THIRTY DOLLARS TO TWENTY DOLLARS TO MAKE IT CONSISTENT WITH THE OTHER TOWNS IN MECKLENBURG COUNTY AND TO REMOVE THE RESTRICTION ON THE USE OF SOME OF THE FUNDS;

H.B. 734, A BILL TO BE ENTITLED AN ACT TO REPEAL THE FOUR PERCENT STATE SALES AND USE TAX ON NONPRESCRIPTION MEDICINES;

H.B. 784, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF INSTALLMENT PURCHASE FINANCING, WHEREBY GOVERNMENTS IN EFFECT BORROW MONEY WITHOUT A VOTE OF THE PEOPLE, TO CONTRACTS NOT EXCEEDING THREE HUNDRED THOUSAND DOLLARS;

H.B. 830, A BILL TO BE ENTITLED AN ACT TO EXTEND THE INHERITANCE TAX CREDIT TO APPLY TO CLASS B AND CLASS C BENEFICIARIES;

Committee Substitute for **H.B. 900,** A BILL TO BE ENTITLED AN ACT TO DEFINE THE APPROPRIATE POLITICAL ACTIVITY OF PUBLIC SCHOOL EMPLOYEES;

H.B. 909, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COURT TO ORDER CERTAIN DEFENDANTS TO POST A PROBATION BOND AS A CONDITION OF PROBATION;

H.B. 963, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES;

H.B. 964, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE LOCAL INFRASTRUCTURE TRUST FUND;

H.B. 972, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES REFUNDS IN FOUR ANNUAL INSTALLMENTS, WITHOUT INTEREST, FOR INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988;

H.B. 975, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT

THE PER GALLON EXCISE TAX ON DIESEL FUEL SHALL BE PAID PARTLY AT THE PUMP AND PARTLY EITHER BY MAKING AN ADDITIONAL PAYMENT WHEN A MOTOR CARRIER REPORT IS FILED OR BY PAYMENT OF AN ANNUAL REGISTRATION TAX;

H.B. 1017, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR CONTRACT FINANCING AND SURETY BONDS FOR SMALL BUSINESSES THAT CONTRACT WITH GOVERNMENTAL AGENCIES;

H.B. 1053, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX PRESCRIPTION DRUGS SOLD TO PHYSICIANS AND DENTISTS FOR USE IN TREATING THEIR PATIENTS;

H.B. 1059, A BILL TO BE ENTITLED AN ACT TO EXEMPT LOCAL PAY PHONE SERVICES FROM SALES TAX;

Committee Substitute for **H.B. 1061**, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR RETAINING THREATENED MANUFACTURING JOBS IN DISTRESSED COUNTIES;

Committee Substitute for **H.B. 1062**, A BILL TO BE ENTITLED AN ACT TO DESIGNATE ENTERPRISE TAX ZONES AND PROVIDE INCENTIVES FOR BUSINESS DEVELOPMENT IN THE ZONES;

H.B. 1120, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE FOR LIENHOLDERS ON MANUFACTURED HOMES TO REGISTER FOR NOTIFICATION OF DELINQUENT PROPERTY TAXES ON THE HOMES AND, ONCE REGISTERED, TO BE ABLE TO REPOSSESS A HOME BY PAYING NO MORE THAN TWO YEARS' PROPERTY TAXES;

H.B. 1146, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES;

Committee Substitute for **H.B. 1227**, A BILL TO BE ENTITLED AN ACT TO PROVIDE A COMPREHENSIVE REGULATORY PROGRAM FOR THE SITING AND PERMITTING OF INTENSIVE ANIMAL AGRICULTURE OPERATIONS AND THE TRAINING AND CERTIFICATION OF PERSONS OPERATING ANIMAL WASTE MANAGEMENT SYSTEMS;

H.B. 1240, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM;

Committee Substitute for **H.B. 1261**, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DARE COUNTY GAME AND WILDLIFE TO SET LICENSE FEES;

H.B. 1281, A BILL TO BE ENTITLED AN ACT TO REPEAL THE THIRTY-DAY RULE FOR DEMANDING A REFUND OF AN ILLEGAL TAX;

H.B. 1288, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES TAX CREDITS AND PARTIAL REFUNDS TO REIMBURSE THEM FOR NORTH CAROLINA INCOME TAX THEY PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988;

H.B. 1295, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE AMOUNT OF MOTOR FUEL TAX PAID ON FUEL USED IN BOATS SHALL BE EARMARKED FOR USE FOR RECREATIONAL PROJECTS, LAKE ADMINISTRATIVE BUILDINGS, AND CONTROL OF AQUATIC WEEDS;

H.B. 1312, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MEDICAL SAVINGS ACCOUNT PLANS THE CONTRIBUTIONS TO WHICH ARE DEDUCTIBLE FROM STATE TAXES UNDER CERTAIN CIRCUMSTANCES;

H.B. 1317, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE ENVIRONMENTAL MANAGEMENT COMMISSION MAY CHARGE FOR PERMITS AND COMPLIANCE MONITORING UNDER THE WATER QUALITY PROGRAM AND TO INCREASE THE MAXIMUM PERCENTAGE OF THE TOTAL BUDGETS OF CERTAIN ENVIRONMENTAL PROGRAMS THAT MAY BE DERIVED FROM FEES FROM THIRTY TO FIFTY PERCENT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

Committee Substitute for **H.B. 1340**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NONREGULATORY PROGRAM TO PROTECT WATER QUALITY, TO CREATE THE RIPARIAN BUFFER FACILITATION AND ASSISTANCE GRANT FUND TO SUSTAIN WATER QUALITY IN THE STATE THROUGH COOPERATIVE METHODS, AND TO INCREASE THE CAP ON THE INCOME TAX CREDIT FOR REAL PROPERTY DONATED FOR CONSERVATION PURPOSES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION;

Committee Substitute for **H.B. 1348**, A BILL TO BE ENTITLED AN ACT TO EXCLUDE THE WALLACE AIRPORT FROM CONSIDERATION AS A SATELLITE AREA IN DETERMINING THE TOTAL NONCONTIGUOUS TERRITORY THAT THE TOWN OF WALLACE MAY ANNEX;

H.B. 1393, A BILL TO BE ENTITLED AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE FILING DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY CONSOLIDATED BOARD OF EDUCATION;

H.B. 1399, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX AND AUTHORIZE CORPORATIONS TO DONATE THE AMOUNT OF THE TAX REDUCTION TO THE STATE SCHOOL TECHNOLOGY FUND FOR IMPROVING STUDENT PERFORMANCE IN THE PUBLIC SCHOOLS THROUGH THE USE OF LEARNING AND INSTRUCTIONAL MANAGEMENT TECHNOLOGIES;

H.B. 1402, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS AND TO REIMBURSE COUNTIES AND CITIES FOR THE RESULTING REVENUE LOSS;

H.B. 1429, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FINANCING OF A NEW STATE ADMINISTRATIVE OFFICE BUILDING TO BE USED BY THE WILDLIFE RESOURCES COMMISSION BY THE INCURRENCE OF NOT IN EXCESS OF FIVE MILLION TWO HUNDRED THOUSAND DOLLARS OF FINANCING CONTRACT INDEBTEDNESS; AND AMENDING CERTAIN GENERAL LAWS;

H.B. 1435, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM INDIVIDUAL INCOME TAX INDIVIDUALS WHO WORK FULL TIME AT MINIMUM WAGE;

H.B. 1437, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE FINANCING OF CAPITAL IMPROVEMENTS AT CORRECTION ENTERPRISES FACILITIES;

H.B. 1438, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES A TAX CREDIT IN FIVE INSTALLMENTS TO REIMBURSE THEM FOR NORTH CAROLINA INCOME TAX THEY PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988;

H.B. 1440, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PUBLIC SCHOOL REGISTRATION PLATES AND TO PROVIDE FOR THE DISTRIBUTION OF THE PROCEEDS OF THE SALES OF THESE PLATES; and

H.B. 1445, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE VALUE OF CERTAIN INVENTORIES IS DEDUCTIBLE IN CALCULATING A CORPORATION'S INVESTMENT IN TANGIBLE PROPERTY IN NORTH CAROLINA FOR FRANCHISE TAX PURPOSES.

The bills reported from the Committee on Finance with an indefinite postponement report are placed on the Unfavorable Calendar.

CALENDAR (continued)

S.J.R. 1495, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GOVERNOR JOHN MOTLEY MOREHEAD ON THE TWO HUNDREDTH ANNIVERSARY OF HIS BIRTH, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

MOTIONS TO SUSPEND RULES

Representative Edwards moves that Rule 37 be suspended in order that **H.B. 1312**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MEDICAL SAVINGS ACCOUNT PLANS THE CONTRIBUTIONS TO WHICH ARE DEDUCTIBLE FROM STATE TAXES UNDER CERTAIN CIRCUMSTANCES, may be removed from the Unfavorable Calendar.

Representative Edwards withdraws his motion.

On motion of Representative Morgan, Rule 36(a) is suspended in order that the Chair of the Committee on Rules, Calendar, and Operations of the House may develop a supplemental calendar on the same legislative day.

On motion of Representative Morgan, Rule 44(d) is suspended in order that conference reports submitted today may be calendared today, pursuant to Rule 36(a).

On motion of Representative Morgan, Rule 36 is suspended in order that House bills unaccompanied by a request from the principal introducer may remain in committee.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 1080, AN ACT TO MAKE FOX HUNTING IN CURRITUCK COUNTY CONSISTENT WITH THE REGULATIONS OF THE WILDLIFE RESOURCES COMMISSION BY REPEALING THE LAW AUTHORIZING FOX HUNTING IN CERTAIN PORTIONS OF CURRITUCK COUNTY AT ALL TIMES OF THE YEAR. (CHAPTER 627)

H.B. 1270, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF POWELL ROAD IN CRAVEN COUNTY AND TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY. (CHAPTER 628)

H.B. 1372, AN ACT TO CONFIRM THAT STANLY COUNTY MAY PURCHASE AND CONVEY PROPERTY TO THE STATE OF NORTH CAROLINA FOR USE AS A CORRECTIONAL FACILITY AND TO DELAY THE EFFECTIVE DATE OF THE LAW REQUIRING THE REGISTER OF DEEDS TO COMPLY WITH MINIMUM INDEXING STANDARDS FOR LAND RECORDS MANAGEMENT IN BRUNSWICK COUNTY. (CHAPTER 629)

H.B. 1376, AN ACT TO REMOVE THE BAG LIMITS ON THE TRAPPING OF RACCOONS IN BEAUFORT, HYDE, AND PAMLICO COUNTIES. (CHAPTER 630)

H.B. 1100, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST. (CHAPTER 631)

H.B. 207, AN ACT TO MAKE IT A FELONY OFFENSE TO SOLICIT A CHILD BY MEANS OF COMPUTER TO COMMIT AN UNLAWFUL SEX ACT. (CHAPTER 632)

H.B. 1077, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES IN THE MARINE FISHERIES LAWS AND TO CREATE A SCIENTIFIC ADVISORY COUNCIL. (CHAPTER 633)

H.B. 1149, A BILL TO BE ENTITLED AN ACT TO CHANGE THE REQUIREMENTS PERTAINING TO PHYSICIAN LICENSING AND REGISTRATION WITH THE NORTH CAROLINA MEDICAL BOARD. (CHAPTER 634)

H.B. 1268, AN ACT TO EXPEDITE DISPOSAL OF UNCLAIMED VEHICLES BY TOWING AND STORAGE BUSINESSES. (CHAPTER 635)

H.B. 1395, A BILL TO BE ENTITLED AN ACT TO ALLOW FOR INITIATIVE, REFERENDUM, AND RECALL IN THE TOWN OF RIVER BEND AND TO DELAY THE EFFECTIVE DATE OF THE LAW REQUIRING THE REGISTER OF DEEDS TO COMPLY WITH MINIMUM INDEXING STANDARDS FOR LAND RECORDS MANAGEMENT IN BRUNSWICK COUNTY. (CHAPTER 636)

S.B. 1221, AN ACT RELATING TO SALES OF SEIZED, UNCLAIMED PROPERTY BY THE CITY OF WINSTON-SALEM. (CHAPTER 637)

S.B. 1222, AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM RELATING TO THE SALE OF PROPERTY. (CHAPTER 638)

S.B. 1223, AN ACT RELATING TO THE DAILY DEPOSIT OF COLLECTIONS AND RECEIPTS BY THE CITY OF WINSTON-SALEM. (CHAPTER 639)

S.B. 1365, AN ACT CONCERNING MODIFICATION OF THE MUNICIPAL LIMITS BETWEEN THE CITY OF RALEIGH AND THE TOWN OF GARNER. (CHAPTER 640)

S.B. 1378, AN ACT AUTHORIZING DURHAM COUNTY TO ENTER INTO CONTRACTS TO CONSTRUCT SIDEWALKS WITHIN THE COUNTY'S JURISDICTION. (CHAPTER 641)

S.B. 1385, AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DETERMINE THE NUMBER OF REGULAR MEETINGS OF THE CITY COUNCIL TO BE HELD EACH MONTH. (CHAPTER 642)

S.B. 1397, AN ACT TO INCORPORATE THE VILLAGE OF SLOOP

POINT IN PENDER COUNTY. (CHAPTER 643)

S.B. 878, AN ACT TO AUTHORIZE CERTAIN AIRPORT BOARDS AND COMMISSIONS TO OWN, OPERATE, AND FINANCE THE PURCHASE AND IMPROVEMENT OF WATER AND WASTEWATER SYSTEMS. (CHAPTER 644)

S.B. 1094, AN ACT TO INCREASE CERTAIN FEES UNDER THE NURSING HOME ADMINISTRATOR ACT. (CHAPTER 645)

S.B. 1178, AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE REVENUE LAWS AND RELATED STATUTES AND TO ALLOW THE VOLUNTARY WITHHOLDING OF INCOME TAX FROM UNEMPLOYMENT COMPENSATION PAYMENTS. (CHAPTER 646)

S.B. 1198, AN ACT TO CLARIFY THE REQUIREMENTS CONCERNING IMPORTS AND EXPORTS OF MOTOR FUEL UNDER THE "TAX AT THE RACK" LAWS AND TO MAKE OTHER ADJUSTMENTS TO THOSE LAWS. (CHAPTER 647)

S.B. 1317, AN ACT TO PROVIDE FOR THE CONTINUED SOLVENCY OF THE COMMERCIAL LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND AND TO MAKE OTHER CHANGES TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (CHAPTER 648)

S.B. 1239, AN ACT TO EXEMPT FROM SALES AND USE TAX FREE SAMPLES OF PRESCRIPTION DRUGS DISTRIBUTED BY THE MANUFACTURER. (CHAPTER 649)

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

Representative Daughtry for the Committee on Judiciary I, reports the following bills with an indefinite postponement report:

H.B. 20, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ALLOW ELECTION OF SUPERIOR COURT BY DIVISION, AND TO IMPLEMENT THAT AMENDMENT;

H.B. 21, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF APPELLATE JUSTICES AND JUDGES BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY;

H.B. 23, A BILL TO BE ENTITLED AN ACT TO REPEAL THE RESTRICTIONS ON DEALINGS WITH SOUTH AFRICA NOW THAT THE POLICIES OF THAT COUNTRY HAVE CHANGED;

H.B. 64, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME;

H.B. 66, A BILL TO BE ENTITLED AN ACT TO REPEAL THE RESTRICTIONS ON DEALINGS WITH SOUTH AFRICA NOW THAT THE POLICIES OF THAT COUNTRY HAVE CHANGED;

H.B. 104, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE VOTER APPROVAL BEFORE MOST TAXES MAY BE LEVIED OR INCREASED, EXCEPT IN THE CASE OF AN EMERGENCY DECLARED BY THE GOVERNOR;

H.B. 130, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ESTABLISH RIGHTS FOR VICTIMS OF CRIME;

H.B. 147, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MAY CARRY A CONCEALED WEAPON WHEN OFF-DUTY IN NORTH CAROLINA;

H.B. 149, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PERTAINING TO THE FILING, ENFORCEMENT, AND REGISTRY OF OUT-OF-STATE CUSTODY DECREES;

H.B. 189, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON MAY CARRY A CONCEALED WEAPON IF THE PERSON HAS A CONCEALED WEAPON LICENSE, TO CREATE A CONCEALED WEAPON LICENSE AND LICENSING PROCEDURE, AND TO MAKE CONFORMING STATUTORY CHANGES;

H.B. 368, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN ADDITION TO ANY OTHER PENALTY A PERSON SELLING OR GIVING

ALCOHOL TO AN UNDERAGE PERSON SHALL HAVE HIS DRIVERS LICENSE SUSPENDED FOR ONE YEAR;

H.B. 532, A BILL TO BE ENTITLED AN ACT TO RESTORE THE PRE-1959 ANNEXATION LAW BY REQUIRING A REFERENDUM ON ANNEXATION ON PETITION OF THE RESIDENTS BEING ANNEXED, AND TO ALLOW THE CITY TO PROVIDE FOR A REFERENDUM ON ANNEXATION;

H.B. 760, A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE INVESTIGATION AND DISCIPLINE OF LAW ENFORCEMENT OFFICERS AND TO PROVIDE FOR JUDICIAL REVIEW;

H.B. 776, A BILL TO BE ENTITLED AN ACT TO REQUIRE SINGLE-MEMBER DISTRICTS FOR THE GENERAL ASSEMBLY AFTER THE NEXT REDISTRICTING;

H.B. 1321, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A CIVIL TRIAL IN DISTRICT COURT WILL NOT BE REPORTED UNLESS A PARTY REQUESTS REPORTING IN WRITING OR THE COURT ORDERS REPORTING; and

H.B. 1363, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ADMINISTRATIVE PROCEDURE ACT, TO MAKE CHANGES IN VARIOUS LAWS GRANTING THE POWER TO ADOPT RULES, AND TO CLARIFY THE REQUIREMENTS CONCERNING CERTAIN REMOVALS OF UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.

The bills reported from the Committee on Judiciary I with an indefinite postponement report are placed on the Unfavorable Calendar.

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **H.B. 1237**, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE MENTAL HEALTH STUDY COMMISSION TO ENSURE AREA AUTHORITY FINANCIAL STABILITY AND DELIVERY OF ADEQUATE SERVICES TO CLIENTS, with a favorable report as to Committee Substitute Bill No. 2, unfavorable as to Committee Substitute Bill No. 1.

Pursuant to the suspension of Rule 36(a), Committee Substitute Bill No. 2 is

placed on today's Calendar. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S.B. 1146, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING LICENSED REINSURERS FROM ASSUMING REINSURANCE FROM NONADMITTED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES AND TO MAKE CLARIFYING AMENDMENTS IN THE 1995 ASSUMPTION REINSURANCE LAW, with a favorable report.

Pursuant to the suspension of Rule 36(a), the bill is placed on today's Calendar.

S.B. 1148, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL COVERAGE UNDER THE NORTH CAROLINA BEACH PLAN AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, with a favorable report.

Pursuant to the suspension of Rule 36(a), the bill is placed on today's Calendar.

CONFERENCE REPORTS

Representative Morgan sends forth the Conference Report on House Committee Substitute No. 2 for **S.B. 855**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY. Pursuant to the suspension of Rule 44(d), the Conference Report is placed on today's Calendar.

Representative Grady sends forth the Conference Report on House Committee Substitute for **S.B. 1139**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR

PERFORMANCE AWARDS. Pursuant to the suspension of Rule 44(d), the Conference Report, which changes the title, is placed on today's Calendar.

**SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996**

SENATE CHAMBER

June 21, 1996

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives that your request for the delivery of the Senate Committee Substitute bill to **H.B. 114, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY**, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 114, (Senate Committee Substitute) A BILL TO BE ENTITLED AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF ALAMANCE COUNTY TO AMEND THE PLAN OF MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS, RELATING TO THE FUNDING OF THE SYSTEM AFTER THE MERGER AND TO EXEMPT RICHMOND COUNTY FROM CERTAIN RESTRICTIONS RELATING TO THE SALE OF HOSPITAL FACILITIES TO NONPROFIT CORPORATIONS**, is respectfully denied.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CALENDAR (continued)

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 1123, A BILL TO BE ENTITLED AN ACT TO CORRECT INADVERTENT ERRORS IN THE 1994 LEGISLATION DESIGNED TO BRING NORTH CAROLINA INTO COMPLIANCE WITH THE NATIONAL VOTER REGISTRATION ACT; TO SPECIFY THE KINDS OF INFORMATION THAT THE COUNTY BOARDS OF ELECTIONS SHALL PROVIDE TO THE PUBLIC FROM ITS VOTER REGISTRATION FILES AND AT WHAT COSTS; TO REQUIRE THE UPDATING OF VOTER**

REGISTRATION RECORDS TO REFLECT ADDRESS CHANGES RESULTING FROM EXTENDED 911 SYSTEMS; TO REQUIRE COUNTY BOARDS OF ELECTIONS TO PROVIDE TO THE STATE BOARD OF ELECTIONS SPECIFIED INFORMATION ABOUT CANDIDATES AND ELECTION RESULTS; AND TO INCREASE THE RESTRICTIONS ON ELECTIONEERING AROUND THE POLLING PLACE ON ELECTION DAY.

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

Representative Lemmond offers Amendment No. 1.

Representative Ellis offers perfecting Amendment No. 2.

Representative Ellis calls the previous question on the amendment and the call is sustained by electronic vote (78-18).

Perfecting Amendment No. 2 is adopted by electronic vote (80-21).

Representative Lemmond withdraws Amendment No. 1.

Representative Ellis offers Amendment No. 3.

Representative Ellis calls the previous question on the amendment and the call is sustained by electronic vote (78-16).

SPEAKER BRUBAKER PRESIDING.

Amendment No. 3 is adopted by electronic vote (73-26).

Representative Justus offers Amendment No. 4.

Representative Justus calls the previous question on the amendment and the call is sustained by electronic vote (72-30).

Amendment No. 4 is adopted by electronic vote (59-43).

Representative Morgan calls the previous question on the bill and the call is sustained by electronic vote (71-30).

The bill, as amended, passes its second reading by electronic vote (81-23).

Representatives Wright, Cunningham, Adams, Alexander, and R. Hunter request and are granted permission to be recorded as voting "no". The adjusted

vote total is (76-28).

Representative H. Hunter objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for **S.B. 534**, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGULATING SURETY BONDSMEN, BAIL BONDSMEN, AND RUNNERS, which was temporarily displaced, is before the Body.

The bill passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Berry, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 101.

Voting in the negative: None.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (102-0).

On motion of Representative Brawley and without objection, Rule 20(a)(2) is suspended in order that the bill might be read a third time.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Carpenter, Church,

Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Justus, Kiser, Lemmond, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 98.

Voting in the negative: Representative Howard.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

On motion of Representative G. Miller and without objection, Rule 20(a)(2) is suspended and **S.B. 684**, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF DURHAM TO AUTHORIZE THE MAKING OF EMERGENCY REPAIRS TO NONRESIDENTIAL BUILDINGS, is before the Body on its third reading.

The bill passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Barbee, Barnes, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Buchanan, Church, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Esposito, Fitch, Grady, Hackney, Hensley, Hiatt, Hightower, Hill, H. Hunter, R. Hunter, Hurley, Justus, Lee, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Preston, Ramsey, Redwine, Richardson, Rogers, Shaw, Sherrill, Sutton, Tallent, Tolson, Wainwright, Weatherly, Wilkins, Womble, Wright, and Yongue - 64.

Voting in the negative: Representatives Allred, Arnold, Baker, Berry, Brawley, J. Brown, Cansler, Capps, Carpenter, Clary, Cocklereece, Creech, Culp, Davis, Eddins, Ellis, Hayes, Holmes, Howard, Ives, Kiser, Linney, McComas, Nichols, Owens, Pate, Pulley, Rayfield, Reynolds, J. Robinson, Russell, Sexton, Sharpe, Shubert, Thompson, Watson, C. Wilson, G. Wilson, and Wood - 39.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 507, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PERMIT THE CITY COUNCIL TO SPECIALLY ASSESS BENEFITED PROPERTY FOR THE COST OF EXTENDING WATER AND SEWER LINES TO PROPERTY LOCATED OUTSIDE OF THE CITY LIMITS WHEN REQUESTED BY THE BOARD OF COMMISSIONERS OF DURHAM COUNTY WITHOUT THE NECESSITY OF A PETITION FOR SUCH IMPROVEMENTS BEING SUBMITTED, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Baker, Barbee, Barnes, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, W. Brown, Buchanan, Cansler, Capps, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Justus, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 98.

Voting in the negative: Representatives Allred, Carpenter, Cocklereece, Ellis, Ives, Nichols, and Pulley - 7.

Excused absences: Representatives Aldridge, Beall, Blue, Fox, Hunt, Oldham, G. Robinson, and Warner - 8.

S.B. 1377, A BILL TO BE ENTITLED AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK COUNTY.

The Speaker rules that the bill is non-roll call.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

S.B. 1411, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE

CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Pursuant to Rule 36(a), the following bill appears on today's Calendar.

House Committee Substitute for **S.B. 470**, A BILL TO BE ENTITLED AN ACT TO CREATE THE GOOD FUNDS SETTLEMENT ACT, AND TO AMEND THE DEFINITIONS UNDER THE REGISTRATION REQUIREMENTS ACT FOR CERTAIN MAKERS OF MORTGAGES AND DEEDS OF TRUST ON RESIDENTIAL REAL PROPERTY.

Representative Neely offers Amendment No. 1 which is adopted by electronic vote (98-0).

Representative Howard offers Amendment No. 2 which is adopted by electronic vote (98-0).

The bill, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate, without engrossment, for concurrence in House committee substitute, as amended, by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 838, AN ACT TO EXEMPT THE YOUNG MEN'S CHRISTIAN ASSOCIATION AND THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT. (CHAPTER 650)

S.B. 1174, AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE FILING DATE FOR MEMBERS OF

THE ROCKINGHAM COUNTY CONSOLIDATED BOARD OF EDUCATION. (CHAPTER 651)

S.B. 1270, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH SPEED LIMITS UP TO SEVENTY MILES PER HOUR ON DESIGNATED PARTS OF CONTROLLED ACCESS HIGHWAYS AND TO PROVIDE FOR SUSPENSION OF THE LICENSE OF A PERSON DRIVING IN EXCESS OF 80 MILES PER HOUR. (CHAPTER 652)

S.B. 1286, AN ACT TO EXPAND THE MEMBERSHIP OF THE FORESTRY COUNCIL OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND REDEFINE ITS RESPONSIBILITIES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (CHAPTER 653)

S.B. 282, AN ACT TO ALLOW THE CITY OF ROCKINGHAM TO MAKE SATELLITE ANNEXATIONS OF LESS THAN AN ENTIRE SUBDIVISION WHEN THE PROPERTY IS DEVELOPED FOR COMMERCIAL OR INDUSTRIAL USE. (CHAPTER 654)

S.B. 580, AN ACT TO AMEND THE CHARTER OF THE CITY OF ALBEMARLE CONCERNING ASSESSMENTS FOR STREET IMPROVEMENTS. (CHAPTER 655)

S.B. 598, AN ACT TO CREATE FIRE DISTRICTS IN SCOTLAND COUNTY. (CHAPTER 656)

S.B. 662, AN ACT TO ALLOW RICHMOND COUNTY TO CREATE FIRE PROTECTION DISTRICTS IN WHICH FIRE PROTECTION IS FUNDED BY FEES RATHER THAN TAXES. (CHAPTER 657)

S.B. 1150, AN ACT TO CONFORM THE LAW GOVERNING SETOFFS WITH THE LAW GOVERNING THE RECOVERY OF PREMIUMS OWED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES. (CHAPTER 658)

S.B. 1151, AN ACT TO LESSEN THE REQUIREMENT OF INSURANCE COMPANIES TO MAINTAIN TRUST ACCOUNTS OR OBTAIN LETTERS OF CREDIT OR GUARANTY BONDS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES.

(CHAPTER 659)

S.B. 1389, AN ACT TO DEANNEX AND DETACH A SMALL AREA OF LAND FROM THE CORPORATE LIMITS OF THE CITY OF ALBEMARLE, NORTH CAROLINA. (CHAPTER 660)

S.B. 1375, AN ACT TO MODIFY THE MANNER OF ELECTION OF THE WHITEVILLE CITY BOARD OF EDUCATION. (CHAPTER 661)

S.B. 1173, AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER. (CHAPTER 662)

H.B. 1256, AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR. (CHAPTER 663)

H.B. 1147, AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE USED IN DEFINING AND DETERMINING CERTAIN STATE TAX PROVISIONS. (CHAPTER 664)

S.J.R. 1495, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GOVERNOR JOHN MOTLEY MOREHEAD ON THE TWO HUNDREDTH ANNIVERSARY OF HIS BIRTH. (RESOLUTION 26)

CALENDAR (continued)

S.B. 833, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT VEHICLES MAKING FREQUENT STOPS ON HIGHWAYS BE EQUIPPED WITH FLASHING AMBER LIGHTS.

Representative McMahan moves the adoption of Committee Amendment No. 1.

Representative Morgan calls the previous question on the amendment and the call is sustained by electronic vote (81-21).

Amendment No. 1 is adopted by electronic vote (80-16).

Representative McLaughlin calls the previous question on the passage of the bill and the call is sustained by electronic vote (89-12).

The bill, as amended, passes its second reading, by electronic vote (66-37), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

S.B. 1179, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT IN CONNECTION WITH OPERATION JOINT ENDEAVOR, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 1165**, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO REMOVE VEHICLE REGISTRATION TAX BLOCK UPON FULL PAYMENT OF PROPERTY TAXES.

On motion of the Chair, the bill is temporarily displaced.

House Committee Substitute No. 2 for **S.B. 905**, A BILL TO BE ENTITLED AN ACT TO FACILITATE FIRE WARNING AND SUPPLEMENTAL FIRE PROTECTION SYSTEMS IN STUDENT HOUSING.

Representative Hackney requests that he be excused from voting on this bill because the bill affects water and sewer utilities and his law firm represents one. This request is granted.

Representative Barnes offers Amendment No. 1 which is adopted by electronic vote (96-4).

On motion of the Chair, the bill is temporarily displaced.

Committee Substitute for **S.B. 1301**, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE OTHER TECHNICAL CORRECTIONS TO THE GENERAL STATUTES.

Representative Culpepper offers Amendment No. 1 which is adopted.

Representative Culpepper offers Amendment No. 2 which is adopted.

Representative Culpepper offers Amendment No. 3 which is adopted.

Representative Culpepper offers Amendment No. 4 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments by Special Message.

House Committee Substitute for **S.B. 859**, A BILL TO BE ENTITLED AN ACT TO AMEND THE MENTAL HEALTH COMMITMENT LAW TO PROVIDE FOR DIVERSION OF POTENTIAL THOMAS S. CLASS MEMBERS TO APPROPRIATE TREATMENT, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

Representative Culpepper offers Amendment No. 1 which is adopted by electronic vote (101-0).

The bill, as amended, passes its third reading, by electronic vote (101-0), and is ordered sent to the Senate, without engrossment, for concurrence in House committee substitute, as amended, by Special Message.

MOTION TO CALENDAR CONFERENCE REPORTS

On motion of Representative Morgan and without objection, the conference reports on House Committee Substitute for **S.B. 855**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY, and House Committee Substitute for **S.B. 1139**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS, are calendared for immediate consideration.

CONFERENCE REPORT

Representative Neely moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 855

Pursuant to Rule 24.1A(c), the request that Representative Alexander be excused from voting is continued.

To: THE PRESIDENT OF THE SENATE

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY, House Committee Substitute #2 Favorable 6/19/96, submit the following report:

The House and Senate agree to the following amendments to the House Committee Substitute, House Committee Substitute #2 Favorable 6/19/96, and the Senate concurs in the House Committee Substitute #2 as amended:

on page 2, lines 1 through 3, by rewriting those lines to read:

"The financial terms or other competitive health care information in a contract related to the provision of health care between a hospital and a managed care organization, insurance company, employer, or other payer is confidential and not a public record under Chapter 132 of the General Statutes."

and on page 2, lines 4-9, by deleting those lines and renumbering the remaining sections accordingly;

and on page 4, line 28, by adding the following sentence at the end of said line:

"Section 2 of this act expires June 1, 1997."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 21, 1996.

*Conferees for the
Senate*

S/ Roy Cooper
S/ R. C. Soles, Jr.
S/ Charlie Dannelly

*Conferees for the
House of Representatives*

S/ Richard T. Morgan
S/ C. B. Neely
S/ Dewey Hill
S/ Zeno Edwards

The Conference Report, which changes the title, is adopted, by electronic vote (93-2), and the Senate is so notified by Special Message.

**SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996**

SENATE CHAMBER
June 21, 1996

Mr. Speaker:

On **S.B. 855**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP PREFERRED PROVIDER ORGANIZATIONS, HEALTH MAINTENANCE ORGANIZATIONS, AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 855** (House Committee Substitute No. 2), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORT

Representative Grady moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 1139

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 1139, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS, Fifth Edition Engrossed 6/19/96, submit the following report:

The Senate and House agree to the following amendments to the Fifth Edition Engrossed 6/19/96, and the Senate concurs in the Fifth Edition Engrossed 6/19/96 as amended:

on page 1, lines 7-9, by rewriting the lines to read as follows: "FLEXIBILITY AND CONTROL, AND TO MAKE CONFORMING CHANGES.";

and on page 5, line 7, by adding at the end of the line the following new sentence: "This process shall provide for final resolution of the disputes.";

and on page 7, line 22, by inserting between the words "children" and "shall" the following phrase:

"and funds allocated for driver's education";

and on page 7, lines 27-28, by inserting between the lines the following new subdivisions:

"(6) Funds allocated for vocational education may be transferred only in accordance with any rules that the State Board of Education considers appropriate to ensure compliance with federal regulations.

(7) Funds allocated for career development shall be used in accordance with Section 17.3 of Chapter 324 of the 1995 Session Laws.";

and on page 9, line 35, by inserting before the phrase "The principal" the following sentence "In order to improve student performance, each school shall develop a school improvement plan that takes into consideration the annual performance goal for that school that is set by the State Board under G.S. 115C-105.28.";

and on page 10, lines 18-20, by rewriting the lines to read:

"Support among affected staff members is essential to successful implementation of a building level plan to address school and student performance goals appropriate to a school; therefore, the school improvement plan to address improved student performance at that school. The principal of the school shall present the proposed";

and on page 10, lines 38-42, by rewriting the lines to read:

"improvement plan is accepted for a school before March 15 of the fiscal year preceding the fiscal year in which participation is sought, within 60 days after its initial submission to the local board, the school or the local board may ask to use the process to resolve disagreements recommended in the guidelines developed by the State Board under G.S. 115C-105.20(b)(5). If this request is made, both the school and local board shall participate in the process to resolve disagreements. If there is no request to";

and on page 11, line 5, by rewriting the line to read:

"or appropriate. If, at any time, any part of a school improvement plan becomes unlawful or the local board finds that a school improvement plan is impeding student performance at a school, the local board may vacate the relevant portion of the plan and may direct the school to revise that portion. The procedures set out in this subsection shall apply to amendments and revisions";

and on page 18, lines 33-34, by inserting between the lines the following new sentence:

"If an assistance team determines that an accepted school improvement plan developed under G.S. 115C-105.22 is impeding student performance at a school, the team may recommend to the local board that it vacate the relevant portions of that plan and direct the school to revise those portions. ";

and on page 18, line 41-43, by rewriting the lines to read:

"(a) Upon the identification of a school as low-performing under this Part, the State Board shall proceed under G.S. 115C-325(q)(1) for the dismissal of the principal assigned to that school. ";

and on page 19, line 1, by rewriting the line to read:

"(b) The State Board shall proceed under G.S. 115C-325(q)(2) for the dismissal of teachers, assistant";

and on page 21, line 14, by inserting after the word "measure", the following: "that are adequate to determine the appropriate placement of the child";

and on page 21, lines 19-21, by rewriting the lines to read:

"law, the State Board;

- a. Shall suspend with pay a principal who has been assigned to a school for more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter; and
- b. May suspend with pay a principal who has been assigned to a school for no more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter.

These principals shall":

and on page 21, line 37, through page 22, line 9, by rewriting the lines to read:

law, this subdivision shall govern the State Board's dismissal of teachers, assistant principals, directors, and supervisors assigned to schools that the State Board has identified as low-performing and to which the State Board has assigned an assistance team under Article 8B of this Chapter. The State Board shall dismiss a teacher, assistant principal, director, or supervisor when the State Board receives two consecutive evaluations that include written findings and recommendations regarding that person's inadequate performance from the assistance team. These findings and recommendations shall be substantial evidence of the inadequate performance of the teacher or school administrator.

The State Board may dismiss a teacher, assistant principal, director, or supervisor when:

- a. The State Board determines that the school has failed to make satisfactory improvement after the State Board assigned an assistance team to that school under G.S. 115C-105.31; and
- b. That assistance team makes the recommendation to dismiss the teacher, assistant principal, director, or supervisor for one or more grounds established in G.S. 115C-325(e)(1) for dismissal or demotion of a career teacher.

A teacher, assistant principal, director, or supervisor may request a hearing before a panel of three members of the State Board within 30 days of any dismissal under this subdivision. The State Board shall adopt procedures to";

and on page 22, line 12, by deleting the phrase "local board" and by substituting the phrase "State Board";

and on page 22, line 21, by rewriting the line to read:

"damages under this subsection.

- (5) The State Board shall have the right to subpoena witnesses and documents on behalf of any party to the proceedings under this subsection.";

and beginning on page 22, line 22, through page 24, line 19, by rewriting the lines to read as follows:

"Section 8.1. The State Board of Education shall develop a comprehensive plan to improve reading achievement in the public schools. The plan shall be fully integrated with State Board plans to improve student performance and promote local flexibility and efficiency. The plan shall be based on reading instructional practices for which there is strong evidence of effectiveness in existing empirical scientific research studies on reading development. The plan shall be developed with the active involvement of teachers, college and university educators, parents of students, and other interested parties. The plan shall, if appropriate, include revision of the standard course of study, revision of teacher certification standards, and revision of teacher education program standards.

Sec. 8.2. The State Board of Education shall critically evaluate and revise the standard course of study so as to provide school units with guidance in the implementation of balanced, integrated, and effective programs of reading instruction. The General Assembly believes that the first, essential step in the complex process of learning to read is the accurate pronunciation of written words and that phonics, which is the knowledge of relationships of the symbols of the written language and the sounds of the spoken language, is the most reliable approach to arriving at the accurate pronunciation of a printed word. Therefore, these programs shall include early and systematic phonics instruction. The State Board shall provide opportunities for teachers, parents, and other interested parties to participate in this evaluation and revision.

Sec. 8.3. In order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction, the State Board of Education, in collaboration with the Board of Governors of the University of North Carolina and with the North Carolina Association of Independent Colleges and Universities, shall review, evaluate, and revise current teacher certification standards and teacher education programs within the institutions of higher education that provide coursework in reading instruction.

Sec. 8.4. Local boards of education are encouraged to review and revise existing board policies, local curricula, and programs of professional development in order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction.

Sec. 8.5. (a) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by December 31, 1996, and annually thereafter on the comprehensive plan developed under Section 1 of this act. The first report shall include revisions made to the standard course of study, teacher certification standards, and teacher education programs. Subsequent reports shall address the effectiveness, based on factors including improved student performance in reading, of the implementation of the plan. The State Board may make recommendations to the General Assembly in any of its reports.

(b) The State Board shall disseminate to local boards of education by March

31, 1997, the changes to the standard course of study.";

and by renumbering the following sections accordingly;

and on page 25, lines 16-28, by rewriting the lines to read:

"followed by community media advisory committees.";

and on page 27, line 17,

by rewriting the line to read:

"G.S. 115C-522(a) G.S. 115C-522(a) and 155C-528.";

and on page 27, line 31, by deleting the phrase "G.S. 115C-529", and substituting the phrase "G.S. 115C-528";

and on page 27 lines 35-36, by rewriting the lines to read:

"approval of the Department of Administration. Title to instructional supplies, office supplies, fuel and janitorial";

and on page 27, line 43, by deleting the phrase "G.S. 115C-529" and substituting the phrase "G.S. 115C-528";

and on page 28, lines 4-27, by rewriting the lines to read:

"Sec. 14. Article 37 of Chapter 115C is amended by adding a new section to read:

'§ 115C-528. Lease purchase and installment purchase contracts for certain'";

and on page 29, lines 31, 33, and 35, by deleting the phrase "115C-529" each time it appears and substituting the phrase "115C-528";

and on page 29, lines 41-42, by inserting between the lines a new section to read:

"Sec. 15.1. (a) The State Board of Education shall develop and implement a pilot program allowing selected local school administrative units to purchase supplies, equipment, and materials from noncertified sources. In developing the program, the State Board shall collaborate with the Department of Administration on establishing standards, specifications, and any other measures necessary to implement and evaluate the pilot program. The State Board shall initially select twelve (12) local school administrative units that are diverse in geography and size to participate in the pilot program. If the State Board thereafter determines that the pilot program is effective, efficient, and in the best interest of the public schools, the State Board shall have the authority to expand the pilot program to additional local school administrative units.

(b) Local school administrative units participating in the pilot program shall have the authority to purchase the same supplies, equipment, and materials from

noncertified sources as are available under State term contracts, subject to the following conditions:

- (1) The purchase price, including the cost of delivery, is less than the cost under the State term contract;
- (2) The cost of the purchase shall not exceed the bid value benchmark established under G.S. 143-53.1;
- (3) The local school administrative unit documents in writing the cost savings; and
- (4) The local school administrative unit shall provide annually by August 15 an itemized report of the cost savings to the State Board of Education.

(c) The requirements listed in subsection (b) of this section shall not apply to purchases from noncertified sources that fall below the economic ordering quantity of a State term contract.

(d) The State Board of Education shall provide to the Department of Administration copies of the itemized annual reports produced by the local school administrative units participating in the pilot program. The State Board shall evaluate the information provided by the participating units and shall report its findings and recommendations to the Joint Legislative Education Oversight Committee by October 1, 1997, and annually thereafter.";

and on page 30, line 8, by deleting the word "annual" and substituting the word "the";

and on page 30, line 9, by inserting after the phrase "G.S. 115C-325(a)(6)", the following sentence:

"All teachers shall be evaluated annually unless a local board adopts rules that allow specified categories of teachers with career status to be evaluated less frequently.";

and on page 36, lines 13-15, by rewriting the lines to read:

"expenditures or revenues of a unit of local government under G.S. 150B-21.4(b). The notice shall state that a copy of the fiscal note may be obtained from the State Board.";

and on page 36, line 16, by deleting the phrase "11-15" and substituting "11-15.1";

and on page 36, line 41 through page 37, line 6, by deleting the lines;

and by renumbering the remaining sections accordingly;

and on page 38, line 4, by rewriting the line to read:

"Sec. 32. (a) Section 15.1 of this act becomes";

and on page 38, line 7, by rewriting the lines to read:

"(b) The".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 21, 1996.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Leslie Winner

S/ Robert Grady

S/ J. Clark Plexico

S/ Jean Preston

S/ Fletcher Hartsell, Jr.

S/ R. Eugene Rogers

The Conference Report, which changes the title, is adopted, by electronic vote (103-2), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE SECOND SESSION 1996

SENATE CHAMBER

June 21, 1996

Mr. Speaker:

On **S.B. 1139** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO MAKE AN APPROPRIATION, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 1139** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE

BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees which further changes the title to read **S.B. 1139** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, AND TO MAKE CONFORMING CHANGES, to the end that when a similar action has been taken on the part of your Honorable Body, the President will order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

CONFERENCE REPORT

Representative Wood sends forth the Conference Report on Senate Committee Substitute for **H.B. 955**, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL. Pursuant to the suspension of Rule 44(d), the Conference Report is placed on the Calendar for immediate consideration.

On motion of the Chair, the Conference Report is temporarily displaced.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute for **H.B. 9**, A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE POSTCONVICTION PROCESS IN NORTH CAROLINA, is returned for concurrence in Senate committee substitute.

Without objection, the bill is placed on today's Calendar.

Senate Committee Substitute for **H.B. 879**, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS BY PREEMPTING LOCAL REGULATION, is returned for concurrence in the Senate committee substitute, as amended.

Without objection, the bill is placed on today's Calendar.

Upon concurrence, the Senate committee substitute changes the title.

Senate Committee Substitute for **H.B. 934**, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS, is returned for concurrence in Senate committee substitute.

Without objection, the Senate committee substitute is placed on today's Calendar.

Senate Committee Substitute for **H.B. 1086**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE 1995 WORKERS' COMPENSATION INSURANCE LOSS COSTS RATING LAWS, is returned for concurrence in Senate committee substitute.

Without objection, the Senate committee substitute is placed on today's Calendar.

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO ALLOW ONE-STOP BALLOTS TO BE DIRECTLY INSERTED IN OPTICAL SCAN TABULATORS IN WAKE COUNTY AS IF THE BALLOTS WERE BEING VOTED AT THE PRECINCT, is returned for concurrence in two Senate amendments and, without objection, placed on today's Calendar.

Upon concurrence, the Senate amendments change the title.

Committee Substitute for **H.B. 779**, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

Senate Committee Substitute for **H.B. 1135**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATUTE WHICH NAMED "NEW ROAD" IN CRAVEN COUNTY, is returned for concurrence in Senate committee substitute and, without objection, placed on today's Calendar.

Upon concurrence, the Senate committee substitute changes the title.

Committee Substitute for **H.B. 1199**, A BILL TO BE ENTITLED AN ACT

TO REVISE THE DEFINITION OF NONFLEET MOTOR VEHICLE TO ALLOW FLEXIBILITY FOR THE NUMBER OF AUTOMOBILES THAT MAY BE WRITTEN UNDER A PERSONAL AUTOMOBILE INSURANCE POLICY AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

Upon concurrence, the Senate amendment changes the title.

Committee Substitute for **H.B. 1203**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE APPOINTMENT IN CERTAIN CIRCUMSTANCES OF PRECINCT OFFICIALS AND BALLOT COUNTERS FOR A PRECINCT WHO ARE NOT REGISTERED TO VOTE IN THAT PRECINCT, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

Upon concurrence, the Senate amendment changes the title.

Committee Substitute for **S.B. 1188**, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 1324**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ADMINISTRATIVE PROCEDURE ACT, TO MAKE CHANGES IN VARIOUS LAWS GRANTING THE POWER TO ADOPT RULES, AND TO CLARIFY THE REQUIREMENTS CONCERNING CERTAIN REMOVALS OF UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 1344, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING EMPLOYEE INSURANCE COMMITTEES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 1417, A BILL TO BE ENTITLED AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

Committee Substitute for **S.B. 1273**, A BILL TO BE ENTITLED AN ACT

TO IMPLEMENT THE RECOMMENDATION OF THE PERFORMANCE AUDIT OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO ELIMINATE THE POSITION OF COMMISSIONER OF MOTOR VEHICLES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 1297**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CONDITIONS OF PROBATION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF CHILDREN, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

Committee Substitute for **S.B. 1298**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PENALTIES THAT MAY BE IMPOSED FOR VIOLATIONS RELATING TO MOTOR VEHICLE EMISSIONS INSPECTIONS BASED ON WHETHER THE VEHICLE WAS INTENTIONALLY IMPROPERLY PASSED AND TO PROVIDE FOR NOTICE AND HEARING PRIOR TO SUSPENSION OR REVOCATION, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

Committee Substitute for **S.B. 192**, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX VITAMINS AND NUTRITIONAL SUPPLEMENTS DISPENSED BY CHIROPRACTIC PHYSICIANS, is read the first time and referred to the Committee on Judiciary I.

CALENDAR (continued)

House Committee Substitute No. 2 for **S.B. 905**, A BILL TO BE ENTITLED AN ACT TO FACILITATE FIRE WARNING AND SUPPLE-

MENTAL FIRE PROTECTION SYSTEMS IN STUDENT HOUSING, which was temporarily displaced, is before the Body.

Representative Ellis offers Amendment No. 2 which is adopted by electronic vote (57-43).

The bill, as amended, passes its second reading by electronic vote (102-2).

Representative Creech requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (103-1).

The bill, as amended, passes its third reading, by electronic vote (103-1), and is ordered sent to the Senate, without engrossment, for concurrence in House Committee Substitute No. 2, as amended, by Special Message.

Committee Substitute for **S.B. 1165**, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO REMOVE VEHICLE REGISTRATION TAX BLOCK UPON FULL PAYMENT OF PROPERTY TAXES.

On motion of Representative Arnold, Committee Amendment No. 1 is adopted by electronic vote (102-1).

The bill, as amended, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

CONFERENCE REPORT

The Conference Report for Senate Committee Substitute for **H.B. 955**, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL, which was temporarily displaced, is before the Body.

Representative Wood moves the adoption of the following Conference Report.

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 955, A BILL TO BE ENTITLED AN

ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL, Senate Education/Higher Education Committee Substitute Adopted 6/1/95, submit the following report:

The Senate and House agree to the following amendment to Senate Education/Higher Education Committee Substitute Adopted 6/1/95, and the House concurs in the Senate Education/Higher Education Committee Substitute as amended:

Delete the entire Senate Education/Higher Education Committee Substitute and substitute the attached Proposed Conference Committee Substitute H955-PCS6254-RH001.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June __, 1996.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Wib Gulley

S/ Steve Wood

S/ Fletcher L. Hartsell, Jr.

S/ Ricky L. Eddins

S/ J. Clark Plexico

S/ William McMahan

S/ Leslie Winner

S/ Larry R. Linney

Representative Hightower inquires of the Chair if the conference report is eligible for consideration if one section of the conference report was not in either the House or Senate bills. The Speaker rules that the conference report is in order.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (69-33).

The Conference Report is adopted, by electronic vote (78-25), and the Senate is so notified by Special Message. (The text of the conference committee substitute may be found in its entirety in the Appendix.)

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 21, 1996

Mr. Speaker:

On **H.B. 955** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees, to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

**SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996**

SENATE CHAMBER
June 21, 1996

Mr. Speaker:

It is ordered that a message be sent the House of Representatives with the information that the Senate fails to concur with your Honorable Body in the House Committee Substitute bill to **S.B. 296**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, which proposed to change the title, upon concurrence, to read **S.B. 296** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES APPLY WITHIN THE LAKE ROYALE COMMUNITY IN FRANKLIN AND NASH COUNTIES, SUBJECT TO A FINDING BY A MAJORITY OF THE FREEHOLDERS IN THE LAKE ROYALE COMMUNITY.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIRED DISCLOSURE STATEMENT AND ELIMINATE DUPLICATIVE REPORTING REQUIREMENTS UNDER THE CHARITABLE SOLICITATIONS ACT AND TO MODIFY AND CLARIFY REQUIREMENTS FOR NONGOVERNMENTAL ENTITIES' ACCOUNTABILITY FOR STATE GRANTS, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

Senate Committee Substitute for **H.B. 1083**, A BILL TO BE ENTITLED AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING AGENCY, is returned for concurrence in Senate committee substitute and, without objection, placed on today's Calendar.

Upon concurrence, the Senate committee substitute changes the title.

H.B. 1394, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTIES OF GRAHAM AND CHEROKEE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

**SPECIAL MESSAGE FROM THE SENATE
SECOND SESSION 1996**

SENATE CHAMBER

June 21, 1996

Mr. Speaker:

Pursuant to your message received Wednesday, June 19, 1996, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 910** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY

CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS, and requests conferees, the President Pro Tempore appoints:

Senator Cooper
Senator Winner
Senator Ballantine

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

REMOVAL OF BILL FROM UNFAVORABLE CALENDAR

On motion of Representative Creech and without objection, Rule 37 is suspended and **H.B. 1363**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ADMINISTRATIVE PROCEDURE ACT, TO MAKE CHANGES IN VARIOUS LAWS GRANTING THE POWER TO ADOPT RULES, AND TO CLARIFY THE REQUIREMENTS CONCERNING CERTAIN REMOVALS OF UNDERGROUND STORAGE TANKS, AS RECOMMENDED BY THE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, is removed from the Unfavorable Calendar and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 1183, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, with a favorable report.

Pursuant to the suspension of Rule 36(a), the bill is placed on today's Calendar.

Committee Substitute for **S.B. 1273**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE PERFORMANCE AUDIT OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF TRANSPORTATION TO ELIMINATE THE POSITION OF COMMISSIONER OF MOTOR VEHICLES, with a favorable report.

Pursuant to the suspension of Rule 36(a), the bill is placed on today's Calendar.

Committee Substitute for **S.B. 1298**, A BILL TO BE ENTITLED AN ACT TO AMEND THE PENALTIES THAT MAY BE IMPOSED FOR VIOLATIONS RELATING TO MOTOR VEHICLE EMISSIONS INSPECTIONS BASED ON WHETHER THE VEHICLE WAS INTENTIONALLY IMPROPERLY PASSED AND TO PROVIDE FOR NOTICE AND HEARING PRIOR TO SUSPENSION OR REVOCATION, with a favorable report.

Pursuant to the suspension of Rule 36(a), the bill is placed on today's Calendar.

REMOVAL OF BILL FROM UNFAVORABLE CALENDAR

On motion of Representative Creech and without objection, Rule 37 is suspended and **H.B. 1087**, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR WORKERS' COMPENSATION FOR VOLUNTEER FIRE DEPARTMENT AND RESCUE/EMS WORKERS, is removed from the Unfavorable Calendar and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 1125, A BILL TO BE ENTITLED AN ACT TO ALLOW ONE-STOP BALLOTS TO BE DIRECTLY INSERTED IN OPTICAL SCAN TABULATORS IN WAKE COUNTY AS IF THE BALLOTS WERE BEING VOTED AT THE PRECINCT.

On motion of Representative Capps, the House concurs in Senate Amendment No. 1 by electronic vote (97-0).

On motion of Representative Capps, the House concurs in Senate Amendment No. 2, by electronic vote (99-2). These amendments change the title. The bill is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 821, AN ACT TO CLARIFY THE LAW RELATING TO THE PRENEED SALES OF FUNERAL MERCHANDISE. (CHAPTER 665)

H.B. 1102, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO DIRECT THE STATE BOARD OF EDUCATION AND THE LOCAL GOVERNMENT COMMISSION TO MODIFY THEIR ACCOUNTING AND REPORTING SYSTEMS TO ALLOW TRACKING OF LOCAL EXPENDITURES IN SCHOOLS' CAPITAL OUTLAY FUNDS, TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP A UNIFORM SYSTEM FOR SCHOOLS TO DEVELOP FIVE-YEAR CAPITAL NEEDS PLANS, AND TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT. (CHAPTER 666)

H.B. 1144, AN ACT TO CREATE THE BUTNER ADVISORY COUNCIL AND TO ENUMERATE ITS DUTIES. (CHAPTER 667)

H.B. 1201, AN ACT TO PROVIDE THAT INSURERS ARE NOT REQUIRED TO OBTAIN WRITTEN CONSENT TO RATE ON EACH POLICY RENEWAL AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES. (CHAPTER 668)

H.B. 1202, AN ACT TO CONFORM THE LAW GOVERNING SMALL EMPLOYER HEALTH BENEFIT PLANS TO 1995 LEGISLATION AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES AND TO CLARIFY THE APPLICABILITY OF CERTAIN MEDICAL UNDERWRITING PROVISIONS. (CHAPTER 669)

H.B. 1345, AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON APPROPRIATIONS BY ESTABLISHING THE PERCENTAGE RATES FOR THE INSURANCE REGULATORY CHARGE AND THE PUBLIC UTILITY REGULATORY FEE. (CHAPTER 670)

H.B. 1097, AN ACT TO PERMIT THE CITY OF BREVARD TO CONVEY CERTAIN PARCELS OF REAL PROPERTY TO FORMER OWNERS OR ADJOINING OWNERS WITH OR WITHOUT

CONSIDERATION. (CHAPTER 671)

H.B. 1421, AN ACT TO PROVIDE FOR THE ELECTION OF THE BOARD OF EDUCATION OF THE MOUNT AIRY CITY SCHOOL ADMINISTRATIVE UNIT. (CHAPTER 672)

H.B. 1172, AN ACT TO TRANSFER THE RAIL SAFETY SECTION FROM THE UTILITIES COMMISSION TO THE DEPARTMENT OF TRANSPORTATION AND TO DIRECT THE SECRETARY OF TRANSPORTATION TO STUDY THE NEED FOR CONTINUATION OF THE RAIL SAFETY INSPECTION PROGRAM. (CHAPTER 673)

H.B. 1280, AN ACT TO RECODIFY THE STATUTE ESTABLISHING LIENS ON INSURANCE PROCEEDS TO SECURE CHILD SUPPORT AND TO PROVIDE THAT SUCH LIENS ARE SUBORDINATE TO LIENS ARISING UNDER ARTICLE 9 OF CHAPTER 44 OF THE GENERAL STATUTES AND TO OTHER HEALTH CARE PROVIDER CLAIMS. (CHAPTER 674)

H.B. 1141, AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO USE DIFFERENT COLOR BORDERS TO DISTINGUISH THE AGE OF LICENSE HOLDERS, THEREBY MAKING IT EASIER TO ISSUE DUPLICATE LICENSES BY MAIL WHEN THE PHOTOGRAPH ON THE ORIGINAL LICENSE IS A DIGITIZED IMAGE. (CHAPTER 675)

H.B. 1122, AN ACT TO ALLOW SWAIN COUNTY TO EMPLOY ATTACHMENT OR GARNISHMENT AND TO OBTAIN A LIEN FOR AMBULANCE SERVICES. (CHAPTER 676)

H.B. 1328, AN ACT TO ABOLISH THE SANFORD GOLF COMMISSION. (CHAPTER 677)

H.B. 1388, AN ACT TO AMEND THE LAW REGARDING THE CITY OF WILSON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND. (CHAPTER 678)

H.B. 1210, AN ACT CLARIFYING THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF THE DARE COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD. (CHAPTER 679)

H.B. 1212, AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH RESPECT TO SETTLEMENT OF CLAIMS. (CHAPTER 680)

H.B. 1231, AN ACT TO INCLUDE THE COUNTIES OF ALLEGHANY, SURRY, AND WATAUGA AMONG THOSE COUNTIES THAT REQUIRE CONSENT OF THE BOARD OF COUNTY COMMISSIONERS BEFORE LAND MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY. (CHAPTER 681)

H.B. 1309, AN ACT TO ADD AVERY COUNTY TO THOSE COUNTIES MAKING IT UNLAWFUL TO REMOVE OR DESTROY ELECTRONIC COLLARS ON DOGS. (CHAPTER 682)

H.B. 1342, AN ACT TO PROVIDE THAT THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS MUST FILL A VACANCY WITH THE PERSON NOMINATED BY THE APPROPRIATE POLITICAL PARTY IF THE NOMINATION IS MADE ON A TIMELY BASIS. (CHAPTER 683)

H.B. 1401, AN ACT AMENDING THE CHARTER OF THE CITY OF FAYETTEVILLE REGARDING ZONING HEARINGS. (CHAPTER 684)

CALENDAR (continued)

Senate Committee Substitute for **H.B. 1135**, A BILL TO BE ENTITLED AN ACT TO REPEAL THE STATUTE WHICH NAMED "NEW ROAD" IN CRAVEN COUNTY.

On motion of Representative Nichols, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (97-3), and the bill is ordered enrolled.

H.B. 1187, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.

On motion of Representative Nichols, the House concurs in the Senate amendment, by electronic vote (96-1), and the bill is ordered enrolled.

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.

On motion of Representative R. Hunter, the House concurs in the Senate amendment by electronic vote (94-0).

Representative Sexton requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (95-0).

The bill is ordered enrolled.

H.B. 1417, A BILL TO BE ENTITLED AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY.

On motion of Representative Bowie, the bill is temporarily displaced.

Senate Committee Substitute for **H.B. 9, A BILL TO BE ENTITLED AN ACT TO EXPEDITE THE POSTCONVICTION PROCESS IN NORTH CAROLINA.**

On motion of Representative Brawley, the House concurs in the Senate committee substitute, by electronic vote (78-5), and the bill is ordered enrolled.

Committee Substitute for **H.B. 779, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS.**

On motion of Representative Crawford, the House concurs in the Senate amendment, by electronic vote (82-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 879, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE'S GUN LAWS BY PREEMPTING LOCAL REGULATION.**

Representative Creech moves that the House concur in the Senate committee substitute, as amended.

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (62-32).

The House concurs in the Senate committee substitute, as amended, which changes the title, by electronic vote (78-20), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 934, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT,**

HEALTH, AND NATURAL RESOURCES AND RELATED LAWS.

On motion of Representative Nichols, the House concurs in the Senate committee substitute, by electronic vote (100-0), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1086**, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE 1995 WORKERS' COMPENSATION INSURANCE LOSS COSTS RATING LAWS.

On motion of Representative Lemmond, the House concurs in the Senate committee substitute, by electronic vote (98-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 1199**, A BILL TO BE ENTITLED AN ACT TO REVISE THE DEFINITION OF NONFLEET MOTOR VEHICLE TO ALLOW FLEXIBILITY FOR THE NUMBER OF AUTOMOBILES THAT MAY BE WRITTEN UNDER A PERSONAL AUTOMOBILE INSURANCE POLICY AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES.

On motion of Representative Cocklereece, the House concurs in the Senate amendment, which changes the title, by electronic vote (98-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 1203**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE APPOINTMENT IN CERTAIN CIRCUMSTANCES OF PRECINCT OFFICIALS AND BALLOT COUNTERS FOR A PRECINCT WHO ARE NOT REGISTERED TO VOTE IN THAT PRECINCT.

On motion of Representative Rayfield, the House concurs in the Senate amendment, which changes the title, by electronic vote (92-2), and the bill is ordered enrolled.

SPEAKER BRUBAKER PRESIDING.

H.B. 1417, A BILL TO BE ENTITLED AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY, which was temporarily displaced, is before the Body.

Representative Bowie moves that the House concur in the Senate amendment.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (57-32).

The motion carries by electronic vote (60-33).

Representative W. Brown requests and is granted permission to be recorded as voting "no". The adjusted vote total is (59-34).

The bill is ordered enrolled.

On motion of the Chair and without objection, **H.B. 1394**, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTIES OF GRAHAM AND CHEROKEE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION, is placed on the Calendar for immediate consideration.

On motion of Representative Ramsey, the House concurs in the Senate amendment, by electronic vote (95-1).

Representative Ramsey requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (96-0).

The bill is ordered enrolled.

Pursuant to the suspension of Rule 36(a), the following bill appears on today's Calendar.

On motion of Representative Nichols and without objection, **H.B. 1341**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT PHASE ONE OF THE RESTRUCTURING OF ENVIRONMENTAL PROGRAMS IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL PROCESS ACTION TEAM OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is temporarily displaced in order that **S.B. 1328**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT PHASE ONE OF THE RESTRUCTURING OF ENVIRONMENTAL PROGRAMS IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL PROCESS ACTION TEAM OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO

ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, may be considered at this time.

The bill passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 1148, A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL COVERAGE UNDER THE NORTH CAROLINA BEACH PLAN AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.J.R. 1451, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A JOINT RESOLUTION CONDEMNING ARSON, VANDALISM, AND BOMB THREATS AGAINST PREDOMINANTLY BLACK CHURCHES AND SUPPORTING EFFORTS TO INVESTIGATE AND SOLVE THESE CRIMES. (RESOLUTION 27)

H.J.R. 1453, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, REGULAR SESSION 1996, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO RAISE THE PENALTY FOR BURNING OF RELIGIOUS STRUCTURES. (RESOLUTION 28)

SUSPENSION OF RULES

On motion of Representative Michaux and without objection, Rules 31(a) and 32(a) are suspended and **H.B. 1458,** A BILL TO BE ENTITLED AN ACT TO RAISE THE PENALTY FOR BURNING OF RELIGIOUS STRUCTURES, is read the first time and placed on the Calendar for immediate consideration.

Co-Sponsors of the bill are: Representatives Michaux, Adams, Barnes, Blue,

Boyd-McIntyre, Cunningham, Fitch, Hackney, Hensley, Hightower, H. Hunter, Luebke, McAllister, McCrary, McLaughlin, G. Miller, Owens, Redwine, Shaw, Sutton, Wainwright, Womble, Wood, Wright, and Yongue.

The bill passes its second reading by electronic vote (98-0).

Representative Locke requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (99-0).

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Womble and without objection, Rules 31(a) and 32(a) are suspended and **H.J.R. 1459**, A JOINT RESOLUTION CONDEMNING ARSON, VANDALISM, AND BOMB THREATS AGAINST PREDOMINANTLY BLACK CHURCHES AND SUPPORTING EFFORTS TO INVESTIGATE AND SOLVE THESE CRIMES, is read the first time and placed on the Calendar for immediate consideration.

Co-Sponsors of the bill are: Representatives Womble, Adams, Aldridge, Alexander, Arnold, Blue, Bowen, Boyd-McIntyre, Braswell, Brawley, W. Brown, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Cummings, Cunningham, Daughtry, Davis, Dockham, Earle, Easterling, Fox, Gamble, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Hunt, R. Hunter, Hurley, Kiser, Lee, Linney, Locke, Luebke, McAllister, McComas, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Neely, Nichols, Nye, Oldham, Owens, Pulley, Ramsey, Redwine, Russell, Sharpe, Sherrill, Shubert, Thompson, Tolson, Wainwright, Warner, C. Wilson, Wright, and Yongue.

The resolution passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

H.B. 1413, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR A MAGNET TECHNICAL HIGH SCHOOL FOR USE BY ITS COUNTY BOARD OF EDUCATION, is returned for concurrence in Senate amendment and, without

objection, placed on today's Calendar.

Committee Substitute for **H.B. 1301**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A CHILD FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY ENTITLED TO THE CHILD'S CUSTODY AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

Committee Substitute for **H.B. 1164**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LIEN RIGHTS FOR PERSONS WHO FABRICATE DIES, MOLDS, FORMS, OR PATTERNS AND WHO FABRICATE PRODUCTS FROM DIES, MOLDS, FORMS, OR PATTERNS, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING THE REMAINDER OF THE GROSS PREMIUMS TAX FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE AND TO CLARIFY RELATED STATUTES, is returned for concurrence in Senate amendment and, without objection, placed on today's Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 1377, AN ACT ESTABLISHING THE HARMON FIELD BOARD OF SUPERVISORS FOR ADMINISTRATION OF HARMON FIELD LOCATED IN POLK COUNTY. (CHAPTER 685)

S.B. 1411, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL. (CHAPTER 686)

S.B. 507, AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PERMIT THE CITY COUNCIL TO SPECIALLY ASSESS BENEFITED PROPERTY FOR THE COST OF EXTENDING WATER AND SEWER LINES TO PROPERTY LOCATED OUTSIDE OF THE CITY LIMITS

WHEN REQUESTED BY THE BOARD OF COMMISSIONERS OF DURHAM COUNTY WITHOUT THE NECESSITY OF A PETITION FOR SUCH IMPROVEMENTS BEING SUBMITTED. (CHAPTER 687)

S.B. 323, AN ACT TO PROVIDE THAT OBSERVERS AT A PRECINCT'S VOTING PLACE NEED NOT BE REGISTERED VOTERS IN THAT PRECINCT BUT SHALL BE REGISTERED VOTERS IN THE COUNTY AND TO AMEND THE LAW GOVERNING ACCESS TO VOTER REGISTRATION INFORMATION. (CHAPTER 688)

S.B. 684, AN ACT AMENDING THE CHARTER OF DURHAM TO AUTHORIZE THE MAKING OF EMERGENCY REPAIRS TO NONRESIDENTIAL BUILDINGS. (CHAPTER 689)

S.B. 709, AN ACT TO ALLOW THE CONSOLIDATION OF HUMAN SERVICES BY COUNTIES, TO MAKE PROVISIONS RELATIVE TO THE STATE AND FEDERAL FUNDING STREAMS FOR CONSOLIDATED HUMAN SERVICES FUNCTIONS, TO PROVIDE THAT THE MEMBERSHIP OF A CONSOLIDATED HUMAN SERVICES BOARD SHALL BE APPOINTED SOLELY BY THE BOARD OF COUNTY COMMISSIONERS, AND TO CHANGE THE STATUS OF COUNTY EMPLOYEES OF A CONSOLIDATED COUNTY HUMAN SERVICES AGENCY WITH REGARD TO THEIR COVERAGE UNDER THE STATE PERSONNEL ACT. (CHAPTER 690)

S.B. 1179, AN ACT TO PROVIDE A GRACE PERIOD FOR MILITARY PERSONNEL TO LIST AND PAY PROPERTY TAXES AFTER DEPLOYMENT IN CONNECTION WITH OPERATION JOINT ENDEAVOR. (CHAPTER 691)

S.B. 1244, AN ACT TO EXCLUDE THE WALLACE AIRPORT FROM CONSIDERATION AS A SATELLITE AREA IN DETERMINING THE TOTAL NONCONTIGUOUS TERRITORY THAT THE TOWN OF WALLACE MAY ANNEX. (CHAPTER 692)

S.B. 1393, AN ACT TO CLARIFY THE STATUS OF CERTIFIED EMPLOYEES OF THE MECKLENBURG COUNTY AND CATAWBA COUNTY SHERIFFS' OFFICES FOR ELIGIBILITY FOR BENEFITS AFFORDED TO LAW ENFORCEMENT OFFICERS THROUGH THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM. (CHAPTER 693)

H.B. 1162, AN ACT TO PROHIBIT THE USE OF INELIGIBLE

VOTER'S TESTIMONY ABOUT HOW THE VOTE WAS CAST; TO GIVE THE PERSON PROTESTING THE ELECTION THE RIGHT TO CALL FOR A NEW ELECTION WHEN THE NUMBER OF INELIGIBLE VOTERS EXCEEDS THE MARGIN OF VICTORY; AND TO MAKE RELATED CHANGES. (CHAPTER 694)

H.B. 1182, AN ACT TO DELETE THE UNNECESSARY "L" ENDORSEMENT FOR A COMMERCIAL DRIVERS LICENSE. (CHAPTER 695)

H.B. 1094, AN ACT TO PROHIBIT THE IMPOSITION OF A FAILURE TO PAY PENALTY WHEN ADDITIONAL TAX DUE IS PAID AT THE TIME AN AMENDED RETURN IS FILED OR WITHIN THIRTY DAYS AFTER THE ADDITIONAL TAX WAS ASSESSED. (CHAPTER 696)

H.B. 1272, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF STATESVILLE. (CHAPTER 697)

S.B. 540, AN ACT TO PROVIDE FOR ELECTION OF ALL THE MEMBERS OF THE ROCKINGHAM CITY COUNCIL FOR FOUR-YEAR TERMS. (CHAPTER 698)

S.B. 1201, AN ACT TO PERMIT THE LUMBERTON FIREMEN'S SUPPLEMENTARY PENSION FUND TO INCREASE THE MONTHLY BENEFITS TO ITS MEMBERS. (CHAPTER 699)

H.B. 1116, AN ACT TO ABOLISH THE CLINTON-SAMPSON AGRICULTURAL CENTER COMMISSION. (CHAPTER 700)

H.B. 1132, AN ACT REQUIRING THE PAYMENT OF DELINQUENT TAXES IN CURRITUCK COUNTY BEFORE THE ISSUANCE BY THE COUNTY OF SUBDIVISION APPROVAL. (CHAPTER 701)

H.B. 1205, AN ACT TO ALLOW THE COUNTY OF DARE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION. (CHAPTER 702)

H.B. 1234, AN ACT TO ALLOW MARTIN, PERSON, AND VANCE COUNTIES TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION. (CHAPTER 703)

H.B. 1286, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-

WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY. (CHAPTER 704)

H.B. 1313, AN ACT TO ALLOW WILSON COUNTY TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION. (CHAPTER 705)

H.B. 1314, AN ACT TO ALLOW HALIFAX, NASH, AND WILSON COUNTIES TO ACQUIRE AND OTHERWISE MAKE AVAILABLE PROPERTY FOR USE BY THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE WITHIN THE COUNTY. (CHAPTER 706)

H.B. 1357, AN ACT TO EXEMPT THE ANNEXATION OF THE EDENTON AIRPORT FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN OF EDENTON. (CHAPTER 707)

H.B. 1383, AN ACT TO AUTHORIZE THE TOWN OF CERRO GORDO TO CONVEY BY PRIVATE SALE CERTAIN PROPERTY TO EUGENE GREEN. (CHAPTER 708)

H.B. 1397, AN ACT AUTHORIZING COLUMBUS COUNTY TO ENTER INTO LEASES FOR TERMS NOT LONGER THAN TWENTY YEARS. (CHAPTER 709)

H.B. 1424, AN ACT TO ADD CASWELL AND PERSON COUNTIES TO THOSE COUNTIES AUTHORIZED TO ESTABLISH THE BOUNDARIES BETWEEN AND AMONG THEM BY THE USE OF ORTHOPHOTOGRAPHY. (CHAPTER 710)

H.B. 1258, AN ACT TO AUTHORIZE THE UNIVERSITY OF NORTH CAROLINA TO RETAIN THE NET PROCEEDS FROM SALE OF THE FORMER RESIDENCE OF THE CHANCELLOR OF WINSTON-SALEM STATE UNIVERSITY FOR APPLICATION TOWARD PURCHASE OF THE SUCCESSIVE RESIDENCE FOR THE CHANCELLOR. (CHAPTER 711)

S.B. 359, AN ACT TO MAKE IT A FELONY OFFENSE TO IMPERSONATE A LAW ENFORCEMENT OFFICER BY UNLAWFULLY OPERATING A MOTOR VEHICLE WITH AN OPERATING BLUE LIGHT. (CHAPTER 712)

S.B. 855, AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH

CARE PERSONNEL REGISTRY. (CHAPTER 713)

CALENDAR (continued)

Committee Substitute No. 2 for **H.B. 1237**, A BILL TO BE ENTITLED AN ACT RECOMMENDED BY THE MENTAL HEALTH STUDY COMMISSION TO ENSURE AREA AUTHORITY FINANCIAL STABILITY AND DELIVERY OF ADEQUATE SERVICES TO CLIENTS, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 1301**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A CHILD FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY ENTITLED TO THE CHILD'S CUSTODY AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE.

On motion of Representative Clary, the House concurs in the Senate amendment, by electronic vote (93-0), and the bill is ordered enrolled.

H.B. 1166, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REQUIRED DISCLOSURE STATEMENT AND ELIMINATE DUPLICATIVE REPORTING REQUIREMENTS UNDER THE CHARITABLE SOLICITATIONS ACT AND TO MODIFY AND CLARIFY REQUIREMENTS FOR NONGOVERNMENTAL ENTITIES' ACCOUNTABILITY FOR STATE GRANTS.

On motion of Representative McMahan, the House concurs in the Senate amendment, by electronic vote (91-0), and the bill is ordered enrolled.

Committee Substitute for **H.B. 1164**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR LIEN RIGHTS FOR PERSONS WHO FABRICATE DIES, MOLDS, FORMS, OR PATTERNS AND WHO FABRICATE PRODUCTS FROM DIES, MOLDS, FORMS, OR PATTERNS.

On motion of Representative McMahan, the House concurs in the Senate amendment, by electronic vote (93-0), and the bill is ordered enrolled.

S.B. 1183, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS,

CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE.

On motion of Representative Reynolds, the bill is temporarily displaced.

House Committee Substitute for **S.B. 1380**, A BILL TO BE ENTITLED AN ACT AUTHORIZING DURHAM COUNTY TO ACCEPT PAYMENTS IN LIEU OF REQUIRED SIDEWALK CONSTRUCTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S.B. 1386, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO ALLOW PAYMENT OF ASSESSMENTS OVER A LONGER PERIOD AND AT A REDUCED INTEREST RATE IN CASES OF SPECIAL FINANCIAL HARDSHIP, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for **S.B. 1263**, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY AND TO RESTRICT HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 1294, A BILL TO BE ENTITLED AN ACT TO CONFORM THE MOTOR VEHICLE LAWS TO THE FEDERAL DEREGULATION OF TRUCKING AND TO MAKE TECHNICAL CHANGES TO THE MOTOR VEHICLE LAWS.

On motion of Representative Sexton, Committee Amendment No. 1 is adopted by electronic vote (82-0).

Representative McComas requests that he be excused from voting on this bill pursuant to Rule 24.1A because he is employed by the trucking industry and this request is granted.

The bill, as amended, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

S.B. 1146, A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING LICENSED REINSURERS FROM ASSUMING REINSURANCE FROM NONADMITTED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES AND TO MAKE CLARIFYING AMENDMENTS IN THE 1995 ASSUMPTION REINSURANCE LAW, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S.B. 1183, A BILL TO BE ENTITLED AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE, passes its second reading, by electronic vote (87-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 1413, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR A MAGNET TECHNICAL HIGH SCHOOL FOR USE BY ITS COUNTY BOARD OF EDUCATION.

On motion of Representative McMahan, the House concurs in the Senate amendment, by electronic vote (90-1), and the bill is ordered enrolled.

Senate Committee Substitute for **H.B. 1083**, A BILL TO BE ENTITLED AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING AGENCY.

On motion of Representative Ellis, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (89-3), and the bill is ordered enrolled.

H.B. 1096, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING THE REMAINDER OF THE GROSS PREMIUMS TAX FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE AND TO CLARIFY RELATED STATUTES.

On motion of Representative Cansler, the House concurs in the Senate amendment, by electronic vote (95-0), and the bill is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 470, AN ACT TO CREATE THE GOOD FUNDS SETTLEMENT ACT, AND TO AMEND THE DEFINITIONS UNDER THE REGISTRATION REQUIREMENTS ACT FOR CERTAIN MAKERS OF MORTGAGES AND DEEDS OF TRUST ON RESIDENTIAL REAL PROPERTY. (CHAPTER 714)

S.B. 833, AN ACT TO REQUIRE THAT VEHICLES MAKING FREQUENT STOPS ON HIGHWAYS BE EQUIPPED WITH FLASHING AMBER LIGHTS. (CHAPTER 715)

S.B. 1139, AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, AND TO MAKE CONFORMING CHANGES. (CHAPTER 716)

H.B. 1125, AN ACT TO ALLOW ONE-STOP BALLOTS TO BE DIRECTLY INSERTED IN OPTICAL SCAN TABULATORS IN VARIOUS COUNTIES AS IF THE BALLOTS WERE BEING VOTED AT THE PRECINCT. (CHAPTER 717)

H.B. 1355, AN ACT TO EXTEND UP TO TWENTY YEARS THE PERIOD TO REPAY SPECIAL ASSESSMENTS IN THE CITY OF FAYETTEVILLE. (CHAPTER 718)

H.B. 9, AN ACT TO EXPEDITE THE POSTCONVICTION PROCESS IN NORTH CAROLINA. (CHAPTER 719)

H.B. 779, AN ACT TO CREATE THE NORTH CAROLINA BOARD OF

EMPLOYEE ASSISTANCE PROFESSIONALS AND TO PROVIDE FOR THE LICENSING OF EMPLOYEE ASSISTANCE PROFESSIONALS. (CHAPTER 720)

H.B. 1135, AN ACT TO REPEAL THE STATUTE THAT NAMED "NEW ROAD" IN CRAVEN COUNTY, TO AUTHORIZE CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX, AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX. (CHAPTER 721)

H.B. 1138, AN ACT TO GRANT ADDITIONAL AUTHORITY TO THE TOWN OF APEX TO CHARGE FEES IN LIEU OF PARKLAND OR OPEN SPACE DEDICATION BASED ON A PER-UNIT FORMULA AND TO CONDITION SITE PLAN APPROVAL UPON DEDICATION, RESERVATION, IMPROVEMENT, OR PAYMENT OF FEES IN LIEU. (CHAPTER 722)

H.B. 1187, AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER. (CHAPTER 723)

H.B. 1208, AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN CERTAIN COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER. (CHAPTER 724)

S.B. 33, AN ACT TO MAKE VARIOUS CHANGES IN THE CRIMINAL JURISDICTION OF DISTRICT AND SUPERIOR COURT AND TO MAKE VARIOUS CRIMINAL LAW PROCEDURAL CHANGES. (CHAPTER 725)

S.B. 534, AN ACT TO AMEND THE LAW REGULATING SURETY BONDSMEN, BAIL BONDSMEN, AND RUNNERS. (CHAPTER 726)

H.B. 879, AN ACT TO AMEND THE STATE'S GUN LAWS TO ESTABLISH STATEWIDE UNIFORM REGULATION. (CHAPTER 727)

H.B. 934, AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND RELATED LAWS. (CHAPTER 728)

H.B. 1086, AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE

1995 WORKERS' COMPENSATION INSURANCE LOSS COSTS RATING LAWS. (CHAPTER 729)

H.B. 1199, AN ACT TO REVISE THE DEFINITION OF NONFLEET MOTOR VEHICLE TO ALLOW FLEXIBILITY FOR THE NUMBER OF AUTOMOBILES THAT MAY BE WRITTEN UNDER A PERSONAL AUTOMOBILE INSURANCE POLICY AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES AND TO PROVIDE THAT THERE ARE NO REINSURANCE FACILITY RECOUPMENT SURCHARGE OR SAFE DRIVER INCENTIVE PLAN SURCHARGES FOR CERTAIN ACCIDENTS OCCURRING DURING RESPONSES TO EMERGENCIES. (CHAPTER 730)

H.B. 955, AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL. (CHAPTER 731)

H.B. 1098, AN ACT TO PROVIDE THAT CUMBERLAND COUNTY AND THE CITIES LOCATED IN THAT COUNTY MAY REQUIRE ISSUANCE OF A BUILDING PERMIT FOR THE REPLACEMENT AND DISPOSAL OF ROOFING. (CHAPTER 732)

H.B. 1181, AN ACT TO GRANT AUTHORITY TO THE CITY OF LUMBERTON TO ADDRESS ABANDONED STRUCTURES IN THE SAME MANNER AS MUNICIPALITIES IN COUNTIES WITH A POPULATION OF OVER ONE HUNDRED SIXTY-THREE THOUSAND. (CHAPTER 733)

H.B. 1203, AN ACT TO ALLOW THE APPOINTMENT IN CERTAIN CIRCUMSTANCES OF PRECINCT OFFICIALS, OBSERVERS, AND BALLOT COUNTERS FOR A PRECINCT WHO ARE NOT REGISTERED TO VOTE IN THAT PRECINCT. (CHAPTER 734)

H.B. 1211, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF KILL DEVIL HILLS. (CHAPTER 735)

H.B. 1366, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF WASHINGTON. (CHAPTER 736)

H.B. 1394, AN ACT TO ALLOW THE COUNTIES OF GRAHAM AND CHEROKEE TO ACQUIRE PROPERTY FOR USE BY THE COUNTY BOARD OF EDUCATION. (CHAPTER 737)

H.B. 1417, AN ACT RELATING TO DISCLOSURE OF BUSINESS INTEREST IN GUILFORD COUNTY. (CHAPTER 738)

S.B. 859, AN ACT TO AMEND THE MENTAL HEALTH COMMITMENT LAW TO PROVIDE FOR DIVERSION OF POTENTIAL THOMAS S. CLASS MEMBERS TO APPROPRIATE TREATMENT. (CHAPTER 739)

S.B. 1148, AN ACT TO PROVIDE ADDITIONAL COVERAGE UNDER THE NORTH CAROLINA BEACH PLAN AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES. (CHAPTER 740)

S.B. 1165, AN ACT TO ALLOW COUNTIES TO REMOVE VEHICLE REGISTRATION TAX BLOCK UPON FULL PAYMENT OF PROPERTY TAXES. (CHAPTER 741)

S.B. 1301, AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND TO MAKE OTHER TECHNICAL CORRECTIONS TO THE GENERAL STATUTES. (CHAPTER 742)

S.B. 1328, AN ACT TO IMPLEMENT PHASE ONE OF THE RESTRUCTURING OF ENVIRONMENTAL PROGRAMS IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CONFORMING STATUTORY CHANGES, AS RECOMMENDED BY THE ENVIRONMENTAL PROCESS ACTION TEAM OF THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES AND TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION. (CHAPTER 743)

H.B. 1164, AN ACT TO PROVIDE FOR LIEN RIGHTS FOR PERSONS WHO FABRICATE DIES, MOLDS, FORMS, OR PATTERNS AND WHO FABRICATE PRODUCTS FROM DIES, MOLDS, FORMS, OR PATTERNS. (CHAPTER 744)

H.B. 1301, AN ACT TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A CHILD FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY ENTITLED TO THE CHILD'S CUSTODY AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE.

(CHAPTER 745)

H.B. 1083, AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION, PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT OF REPRESENTATION TO THE PLANNING AGENCY, TO PROHIBIT A MUNICIPALITY FROM CLAIMING FOR LOST TAX REVENUE DURING THE PENDENCY OF AN APPEAL OF ANNEXATION AND TO AMEND THE STATUTE OF LIMITATIONS FOR APPEALING THE VALIDITY OF A ZONING ORDINANCE. (CHAPTER 746)

H.B. 1096, AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING THE REMAINDER OF THE GROSS PREMIUMS TAX FROM THE DEPARTMENT OF INSURANCE TO THE DEPARTMENT OF REVENUE AND TO CLARIFY RELATED STATUTES. (CHAPTER 747)

H.B. 1166, AN ACT TO MODIFY THE REQUIRED DISCLOSURE STATEMENT AND ELIMINATE DUPLICATIVE REPORTING REQUIREMENTS UNDER THE CHARITABLE SOLICITATIONS ACT AND TO MODIFY AND CLARIFY REQUIREMENTS FOR NONGOVERNMENTAL ENTITIES' ACCOUNTABILITY FOR STATE GRANTS. (CHAPTER 748)

H.B. 1237, AN ACT TO ENSURE AREA AUTHORITY FINANCIAL STABILITY AND DELIVERY OF ADEQUATE SERVICES TO CLIENTS. (CHAPTER 749)

H.B. 1413, AN ACT TO ALLOW MECKLENBURG COUNTY TO ACQUIRE PROPERTY FOR A MAGNET TECHNICAL HIGH SCHOOL FOR USE BY ITS COUNTY BOARD OF EDUCATION. (CHAPTER 750)

H.B. 1458, AN ACT TO RAISE THE PENALTY FOR BURNING OF RELIGIOUS STRUCTURES. (CHAPTER 751)

S.B. 1146, AN ACT TO REPEAL THE LAW PROHIBITING LICENSED REINSURERS FROM ASSUMING REINSURANCE FROM NONADMITTED INSURERS AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON INSURANCE AND INSURANCE-RELATED ISSUES AND TO MAKE CLARIFYING AMENDMENTS IN THE 1995 ASSUMPTION REINSURANCE LAW. (CHAPTER 752)

S.B. 1183, AN ACT REGARDING THE JURISDICTION OF THE UTILITIES COMMISSION WITH REGARD TO THE RESALE OF WATER OR SEWER SERVICE IN APARTMENTS, CONDOMINIUMS, AND SIMILAR PLACES AS RECOMMENDED BY THE JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE. (CHAPTER 753)

S.B. 1263, AN ACT TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAY OF PUBLIC ROADS IN NORTHAMPTON COUNTY AND TO RESTRICT HUNTING ON THE LAND OF ANOTHER IN MACON COUNTY. (CHAPTER 754)

S.B. 1386, AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO ALLOW PAYMENT OF ASSESSMENTS OVER A LONGER PERIOD AND AT A REDUCED INTEREST RATE IN CASES OF SPECIAL FINANCIAL HARDSHIP. (CHAPTER 755)

H.J.R. 1459, A JOINT RESOLUTION CONDEMNING ARSON, VANDALISM, AND BOMB THREATS AGAINST PREDOMINANTLY BLACK CHURCHES AND SUPPORTING EFFORTS TO INVESTIGATE AND SOLVE THESE CRIMES. (RESOLUTION 29)

S.B. 1294, AN ACT TO CONFORM THE MOTOR VEHICLE LAWS TO THE FEDERAL DEREGULATION OF TRUCKING AND TO MAKE TECHNICAL CHANGES TO THE MOTOR VEHICLE LAWS. (CHAPTER 756)

S.B. 1380, AN ACT AUTHORIZING DURHAM COUNTY TO ACCEPT PAYMENTS IN LIEU OF REQUIRED SIDEWALK CONSTRUCTION. (CHAPTER 757)

The Chair orders a message sent to the Senate informing that Honorable Body that the House has completed its business and stands ready to adjourn sine die.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

June 21, 1996

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully advising that the Senate has concluded the business of the 1996 Session of the

1995 General Assembly and pursuant to Resolution 15 of the Session Laws of the 1995 General Assembly is adjourning sine die.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The time having arrived for adjournment in accordance with Resolution 15, **H.J.R. 1069**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1995 GENERAL ASSEMBLY TO MEET IN 1996, LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, AND PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY, the House stands adjourned.

Respectfully,
S/ Denise G. Weeks
Principal Clerk

ADDENDUM

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of two-thirds (2/3) of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) When a member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the members present.
- (2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Denise G. Weeks
Principal Clerk

ERRATA

June 21, 1996 (pg.546)

The House of Representatives concurred in the Senate Committee Substitute for House Bill 1135 on June 21, 1996. The bill was enrolled on the same date. The measure before the House was not read on three different days and the yeas and nays on second and third readings were not entered on the journal. This action was contrary to the requirements of Article II, Section 23 of the North Carolina Constitution. Therefore, the provision authorizing the county to levy an additional tax was void and the county was so notified.

Dennis G. Weeks
Principal Clerk

APPENDIX

SECOND SESSION 1996



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BOARDS AND COMMISSIONS APPOINTMENTS BY THE SPEAKER

(January 1, 1996 - October 31, 1996)

It should be noted that there are appointments made in 1995 included in this list. These appointments were unavailable prior to the printing of the 1995 Journal.

APPOINTED EXPIRES

ACUPUNCTURE LICENSING BOARD

G.S. 90-453; 120-122; Chapter 488, 1995 Session Laws

Ms. Susan Goldstone	7/31/96	6/30/99
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AGING, GOVERNOR'S ADVISORY COUNCIL ON

G.S. 143B-181

Mr. Granville Cheek	7/18/96	6/30/2000
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AGING, N. C. STUDY COMMISSION ON

G.S. 120-180

Mr. George Wilson (replaced Mr. Tomlinson)	3/21/96	6/30/97
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AQUARIUMS COMMISSION, N. C.

G.S. 143B-390.16

Mr. Robert J. Beason	7/31/96	7/1/2000
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Mr. H. Edward Browning	7/31/96	7/1/2000
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Mr. W. Daniel Martin, III	7/31/96	7/1/2000
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Ms. Lois Jean O'Keefe	7/31/96	7/1/2000
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BIOTECHNOLOGY CENTER BOARD, N. C.

By-laws

Mr. Donald R. van der Vaart	7/31/96	7/31/97
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BRIDGE AUTHORITY, N. C.

Chapter 485, Section 1 of the 1995 Session Laws

Mr. Danny Gray	4/12/96	6/30/97
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Mr. S. Paul O'Neal	4/12/96	6/30/99
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BUILDING COMMISSION, STATE

G.S. 143-135.25; 120-122

Mr. Charles T. Wilson, Jr. (Reappointment)	7/31/96	6/30/99
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CANCER COORDINATION AND CONTROL, ADVISORY COMMITTEE ON

G.S. 130A-33.50

Mrs. Nan Revell	5/7/96	6/30/97
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CHILD DAY CARE COMMISSION

G.S. 143B-168.4; 120-122; Chapter 488, 1995 Session Laws

Dr. Fred Darnley	10/1/96	6/30/98
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Mrs. Melinda R. Spencer	1/11/96	6/30/97
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(Replaced Ms. Decker)

Mrs. Anne Shumaker	7/31/96	6/30/98
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Mrs. Frances Clayton Williams	10/1/96	6/30/98
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CHILD FATALITY TASK FORCE, N. C.

G.S. 143-574

Dr. Kathleen Dunn	10/1/96	1/31/97
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Mrs. Doris Patton Giezentanner	2/5/96	1/31/97
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Mrs. Edna Hines	2/5/96	1/31/97
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CHILDREN FROM BIRTH TO FIVE WITH DISABILITIES AND THEIR FAMILIES, INTERAGENCY COORDINATING COUNCIL FOR

G.S. 143B-179.5

Rep. Martha Alexander (Reappointment)	7/1/96	6/30/98
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Rep. Joanne Sharpe (Reappointment)	7/1/96	6/30/98
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CODE OFFICIALS QUALIFICATIONS BOARD, N. C.

G.S. 143-151.9(a)

Mr. Nathaniel Ellis Cannady, III	10/3/96	6/30/2000
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CRIMINAL JUSTICE INFORMATION NETWORK GOVERNING BOARD

G.S. 143-660, Article 69

Hon. Fred Hines	10/17/96	6/30/99
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Col. Sid Jennings	10/17/96	6/30/99
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Hon. Renee Kumor	10/17/96	6/30/99
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DIETETICS AND NUTRITION, N. C. BOARD OF

G.S. 90-354(a)(2)

Mrs. Ann Boney	7/31/96	6/30/99
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ELECTROLYSIS EXAMINERS, N. C. BOARD OF

G.S. 88A-5(a)(1)

Ms. Dorenda Stilwell

2/15/96

8/31/98

**EXPENDITURE MODEL, LEGISLATIVE SERVICES
COMMISSION'S SUBCOMMITTEE ON**

Chapter 17, Senate Bill 46, Part VII

Rep. Gene G. Arnold

10/1/96

1/31/97

Rep. Lyons Gray

10/1/96

1/31/97

**FEE-BASED PRACTICING PASTORAL COUNSELOR,
N. C. STATE BOARD OF**

G.S. 90-380

Rev. Lee S. Dukes

1/11/96

9/30/97

Mr. Russell Williams

3/21/96

9/30/97

HEALTH POLICY INFORMATION, COUNCIL ON

N. C. Executive Order No. 95

Rep. Zeno L. Edwards, Jr.

5/7/96

**HEART DISEASE AND STROKE PREVENTION
TASK FORCE, N. C.**

Chapter 507, Section 26.9, 1995 Session Laws

Rep. M. W. Aldridge

10/27/95

10/1/97

Rep. Willis Brown

10/27/95

10/1/97

(Resigned - effective 7/1/96)

Rep. Beverly Earle

9/23/96

10/1/97

(Replaced Rep. W. Brown)

Rep. Larry Justus

10/27/95

10/1/97

Hon. Robert "Bobby" Greer

1/4/96

10/1/97

(County Commissioner)

**HUMAN RESOURCES, STUDY COMMISSION ON THE
REORGANIZATION OF THE DEPARTMENT OF**

HB 53, Sec. 24.20 (page 136)

Rep. Charlotte A. Gardner (Co-Chair)

8/27/96

4/1/97

Rep. Cherie Berry

8/27/96

4/1/97

Rep. Lyons Gray

8/27/96

4/1/97

Rep. Julia Howard

8/27/96

4/1/97

Rep. Edd Nye

8/27/96

4/1/97

MARTIN LUTHER KING, JR. COMMISSION

G.S. 143B-426.34B

Mrs. Vivian C. Bowser	1/25/96	6/30/99
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MINORITY HEALTH ADVISORY COUNCIL

G.S. 130A-33.44

Rep. Frances M. Cummings	7/1/96	6/30/98
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Rep. Thomas E. Wright	7/1/96	6/30/98
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NATURAL HERITAGE TRUST FUND BOARD OF TRUSTEES

G.S. 113-77.6

Mr. Dewey W. Wells	1/1/96	12/31/2001
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NURSING BOARD OF DIRECTORS, N. C. CENTER FOR

G.S. 90-171.71; 120-122; Chapter 488, 1995 Session Laws

Ms. Suzanne Freeman	7/31/96	6/30/99
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Ms. Polly Godwin	7/31/96	6/30/99
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**OPEN PUBLIC EVENTS NETWORK COMMITTEE,
LIAISON TO THE**

Rep. J. Russell Capps	8/27/96
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PARKS AND RECREATION AUTHORITY

G.S. 143B-313.1

Dr. G. Robert Horton	7/31/96	6/30/98
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Ms. Drane McCall	7/31/96	6/30/98
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Ms. Ann Orr	8/11/96	6/30/98
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Mr. Glenn T. Pope	8/30/96	6/30/98
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PERSIAN GULF WAR MEMORIAL COMMISSION

Executive Order 82

Mr. Ray Humphries	4/12/96
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Lt. Colonel Fredrick Jerrett	4/12/96
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PETROLEUM UNDERGROUND STORAGE**TANK FUNDS COUNCIL, N. C.**

G.S. 143-215.940A; Chapter 488, 1995 Session Laws

Mr. Ken Carter, R.S.	2/27/96	6/30/97
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Mr. Richard Catlin	2/27/96	6/30/97
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PORTS AUTHORITY, STATE

G.S. 143B-452; Chapter 488, 1995 Session Laws

Mr. Patrick Joyce	7/31/96	6/30/98
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PRIVATE PROTECTIVE SERVICES BOARD

G.S. 74C-4; 120-122; Chapter 488, 1995 Session Laws

Mr. Tobin Allen Henry (Reappointment) 7/31/96 6/30/99

REAL ESTATE APPRAISAL BOARD, N. C.

G.S. 93A-78

Mr. Tom Keith 7/1/96 6/30/99

RULES REVIEW COMMISSION

G.S. 143B-30.1; 120-122

Ms. Anita White 8/29/96 6/30/98

Mr. James B. Mallory, III 10/1/96 6/30/97

(Fill unexpired term of Ed Shelton)

Mr. Paul Powell 2/6/96 6/30/96

(Fill unexpired term of Marvealavette Francis)

(Reappointment) 7/31/96 6/30/98

SCIENCE AND TECHNOLOGY, N. C. BOARD OF

G.S. 143B-426.31

Mr. Robert Annechiarico 3/1/96 6/30/97

SOIL SCIENTISTS, N. C. BOARD OF

G.S. 89F-1-25

Mr. Graham Cawthorne, Jr. 7/31/96 6/30/99

SOUTHEASTERN FARMERS MARKET COMMISSION

G.S. 106-727; Chapter 488, 1995 Session Laws

Mr. Joe H. Hege, Jr. 7/31/96 7/1/99

Mr. McKeithan Jones 7/31/96 7/1/99

SUBSTANCE ABUSE ADVISORY COUNCIL

G.S. 143B-270

Hon. Brad Ligon 2/20/96 9/30/99

Ms. Anne Goodheart 3/14/96 9/30/99

Mr. John E. Shields 3/1/96 9/30/99

**TEACHERS' AND STATE EMPLOYEES COMPREHENSIVE
MAJOR MEDICAL PLAN, BOARD OF TRUSTEES OF**

G.S. 135-39; 120-122; Chapter 488, 1995 Session Laws

Mr. Joseph V. Meacci 7/31/96 6/30/98

TEACHING FELLOWS COMMISSION, N. C.

G.S. 115C-363.23; Chapter 488, 1995 Session Laws

Mrs. Jeannie Metcalf 7/31/96 6/30/2000

**THERAPEUTIC RECREATION CERTIFICATION,
N.C. STATE BOARD OF**

G.S. 90C-5

Ms. Peggy Pruett 7/31/96 6/30/99

TRAVEL AND TOURISM BOARD, N. C.

G.S. 143B-434.1

Mr. Kelly R. Miller 7/31/96 12/31/96

VOCATIONAL REHABILITATION ADVISORY COUNCIL

G.S. 143-548

Mr. Michael Britt 9/6/96 6/30/97

Ms. Martha Brock (Reappointment) 9/6/96 6/30/99

Ms. Elfriede Illiano 9/6/96 6/30/98

Mr. Phil Kosak 9/6/96 6/30/97

Mr. N. E. Ross (Reappointment) 9/6/96 6/30/99

WELFARE REFORM, LEGISLATIVE STUDY COMMISSION ON

Chapter 17, Senate Bill 46, Part XVII

Rep. Cherie K. Berry, Co-Chair 10/1/96 Final Report
to 1997 GA

Rep. Charlotte A. Gardner 10/1/96 "

Rep. Lyons Gray 10/1/96 "

Rep. Dewey L. Hill 10/1/96 "

Rep. Julia C. Howard 10/1/96 "

Ms. Edith Hubbard 10/1/96 "

NORTH CAROLINA HOUSE OF REPRESENTATIVES**Office of the Speaker****TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES**

WHEREAS, the citizens of North Carolina face an enormous and complex social crisis in pre-adolescent and adolescent behavior resulting in anti-social and destructive behavior by certain children to themselves and toward others; and

WHEREAS, the juvenile codes in the North Carolina General Statutes have not been subject to a major overhaul in over a quarter-century; and

WHEREAS, many of our citizens of all ages have been the victims of criminal and anti-social acts committed by pre-adolescent and adolescent juveniles; and

WHEREAS, juveniles have and are being used as criminal agents by adults to perpetrate crimes; and

WHEREAS, the causes and remedies for this crisis involve the marshaling of a variety of government and community activities and reforms;

NOW, THEREFORE;

Section 1. Pursuant to the authority vested in me by Resolution 1 of the North Carolina House of Representatives, Session 1995, Section V, Rule 26(a), I do hereby establish:

THE SELECT COMMITTEE ON CHILDREN AND YOUTH

The following members of the North Carolina House of Representatives are appointed as members of this Select Committee:

Representative Joanne Sharpe - Chair

Representative Debbie Clary

Representative Bill Ives

Representative Cindy Watson

Representative Martha Alexander

Representative Beverly Earle

Section 2. It shall be the duty of this Select Committee on Children and Youth to study the causes of this crisis and recommend appropriate action to be taken by the General Assembly and/or other state governmental bodies.

Section 3. The Select Committee on Children and Youth is authorized to meet during sessions of the General Assembly, during recesses, and in the interim periods between sessions, upon the call of its chair.

Section 4. Members of the Select Committee on Children and Youth shall receive per diem, subsistence, and travel allowance at the rate established in 120-3.1.

Section 5. The expenses of the Select Committee on Children and Youth including per diem, subsistence, travel allowances, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker pursuant to N.C.G.S. 120-32.02 (c) and 120-35 from funds available to the House of Representatives for its operations.

Section 6. The members of this Select Committee on Children and Youth serve at the pleasure of the Speaker of the House who may dissolve the Select Committee at any time.

Effective this 14th day of October, 1996.

S/ Harold J. Brubaker
Speaker of the North Carolina
House of Representatives

Attest:

S/ Denise Weeks
Principal Clerk

Representative James Sharp - Chair
Representative Debbie Clary
Representative Bill Ives
Representative Cindy Watson
Representative Martha Alexander
Representative Beverly Balle

FINAL DISPOSITION OF BILLS IN HOUSE COMMITTEES

(Bills remained in House committees either by request of principal sponsor or pursuant to suspension of Rule 36)

AGRICULTURE

- H 117 PESTICIDE LAW AMENDMENTS
- H 523 ZONING/INTENSIVE HOG OPERATIONS
- H 845 AGRICULTURAL OPERATION IN VIOLATION
- H 885 DISPOSAL OF DEAD POULTRY
- S 174 NOTIFY/AERIAL APPLICATION OF PESTICIDES

APPROPRIATIONS - JUSTICE AND PUBLIC SAFETY

- H 988 DRUG TAX FOR CRIMESTOPPERS

APPROPRIATIONS - TRANSPORTATION

- H 100 TRANSPORTATION FUNDS

BUSINESS & LABOR

- H 138 NO SALES OF LOOSE CIGARETTES
- H 143 WORKERS' COMPENSATION CREDIT FOR
DRUG PROGRAM
- H 291 SMOKE DETECTORS IN RENTAL PROPERTY
- H 441 ABOLISH BURIAL COMMISSION
- H 617 MOLD LIEN ACT
- H 742 CONSTRUCTION BIDDING AND PROCEDURES
- H 752 GLOBAL TRANSPARK ZONE FUNDS
- H 929 LITTERING PENALTIES
- H 942 MARK BODIES FOR BURIAL
- H 969 REPEAL LIQUOR BY THE DRINK
- H 1020 JOINT MUNICIPAL ELECTRIC AMEND
- H 1030 USE OF ECONOMIC DEVELOPMENT FUNDS
- S 594 WORKER'S COMPENSATION MEDIATION SUNSET
- S 793 PHARMACY PRACTICE AMENDMENTS
- S 1054 ADVANCE RENTAL PAYMENTS

BUSINESS & LABOR - ECONOMIC EXPANSION & GROWTH

- H 303 CORRECTION ENTERPRISES
- H 319 BARBER STRAIGHT RAZORS
- S 62 MANUFACTURED HOMES/BILL OF RIGHTS

BUSINESS & LABOR - LABOR RELATIONS & EMPLOYMENT

H 48 EMPLOYEE LEASING ACT

BUSINESS & LABOR - TRAVEL & TOURISM

H 701 TOWNS - REGULATE OPEN ALCOHOLIC BEVERAGE
CONTROL CONTAINERS

EDUCATION

H 8 PUBLIC INSTRUCTION REORGANIZATION PLAN

H 77 NOTICE OF SCHOOL REPLACEMENT

H 190 EDUCATION EXPENSES TAX CREDIT

H 216 MINORITY TEACHERS STUDY

H 808 UNIVERSITY OF NORTH CAROLINA/NORTH
CAROLINA STATE UNIVERSITY/EAST
CAROLINA UNIVERSITY FOOTBALL

H 927 REFOCUS SCHOOL TESTING ON BASICS

H 1103 SCHOOL SITES

H 1246 NORTH CAROLINA STANDARDS BOARD FOR
PUBLIC SCHOOL ADMINISTRATOR

H 1247 IMPLEMENT HIGHER EDUCATION CREDIT
TRANSFER PLAN

H 1248 EDUCATION OF GIFTED STUDENTS

S 677 COMMUNITY COLLEGE CAN RECEIVE GRANT

S 940 CHARTER SCHOOL ACT OF 1995

S 1117 NORTH CAROLINA STANDARDS BOARD FOR
PUBLIC SCHOOL ADMINISTRATION

S 1207 EDUCATION OF GIFTED STUDENTS

S 1220 CHANGE LOCAL SCHOOL PAY DATES

EDUCATION - COMMUNITY COLLEGES & UNIVERSITIES

H 810 FACILITATE COLLEGE COURSE TRANSFERS

H 920 COMMUNITY COLLEGES BOARD CHAIR SELECTION

S 452 UNIVERSITY OF NORTH CAROLINA BOARD OF
GOVERNORS MEMBER LIMIT

FINANCE

H 83 EMERGENCY VEHICLE TAX EXEMPTIONS

H 84 EXTEND JOBS TAX CREDIT

H 92 REFUND FEDERAL RETIREES IN INSTALLMENTS

H 94 TAX FREE SAMPLES OF PRESCRIPTION DRUGS

H 95 LEGISLATIVE RESEARCH COMMISSION TO STUDY
AND EVALUATE THE TAX STRUCTURE OF
NORTH CAROLINA

H 112	REPEAL STATE FOOD TAX
H 129	TAXPAYER BILL OF RIGHTS
H 139	REPEAL MINIMUM HIGHWAY USE TAX
H 159	SAFETY EQUIPMENT SALES TAX REFUND
H 162	UNPAID DEBTS TAXED AS INCOME
H 244	REDUCE CORPORATE INCOME TAX
H 245	FRANCHISE TAX ON HOLDING COMPANIES
H 276	ALTERNATIVE FUEL FACILITY TAX CREDIT
H 277	FUEL TAX FOR ALTERNATIVE FUELS
H 279	STATE ENERGY POLICY
H 327	PENALTY FOR FAILURE TO DIM LIGHTS
H 347	MERCHANTS' SALES TAX DISCOUNT
H 389	PUBLIC SCHOOL BUILDING BOND ACT OF 1995
H 404	REDUCE FOOD TAX
H 452	AMEND PSYCHOLOGY PRACTICE ACT
H 541	SET UNIFORM OCCUPANCY TAX RULES
H 590	MOUNTAIN VIEW INCORPORATED
H 605	ALLEGHANY LAND TRANSFER TAX
H 607	WILMINGTON-NEW HANOVER GOVERNMENT STUDY
H 610	TYRRELL LAND TRANSFER TAX
H 650	NEW HANOVER ROOM TAX USE
H 658	HYDE LOCAL LAND TRANSFER TAX
H 660	PARKWOOD ANNEXATION REFERENDA
H 691	WAKE/SEWAGE FEE COLLECTIONS
H 693	WAKE ANNEXATION REFERENDA
H 695	JOHNSTON SCHOOL REVENUE OPTIONS
H 707	LOCAL VOCATIONAL INITIATIVE
H 714	JOHNSTON SCHOOL REVENUE OPTIONS
H 721	EMERGENCY VEHICLE TAX EXEMPTIONS
H 722	NO TAX ON SCHOOL BUSES
H 724	REPEAL WAKE MEALS TAX
H 771	PUBLIC SCHOOL BUILDING BOND ACT OF 1995
H 806	REDUCE FARM/INDUSTRY FUEL TAX
H 809	LOCAL OPTION LOTTERY FOR LOCAL NEEDS
H 813	SMALL BUSINESS GAIN EXCLUSION
H 814	WELL AND PUMP CONTRACTORS
H 815	DONATIONS FOR BREAST CANCER RESEARCH
H 833	WILDLIFE BUILDING BONDS
H 960	STATE LOTTERY REFERENDUM - 1995
H 1063	FLAT TAX CONSTITUTIONAL AMENDMENT
H 1073	REDUCE FOOD TAX
H 1099	EXTEND CORPORATE LOSS CARRYFORWARD
H 1114	INCREASE JAIL FEES

H 1118	CHEROKEE SCHOOL ACQUISITION
H 1150	MEDICAL RECORDS/FEEs
H 1168	HENDERSON COUNTY ANNEXATION AGREEMENTS
H 1186	BANKS/ALTERNATIVE MINIMUM TAX
H 1188	SPECIAL VETERANS PLATES FEES
H 1216	REFUND ILLEGAL TAXES
H 1217	PHASE DOWN CORPORATE INCOME TAX
H 1266	NO FEE FOR MAIL-IN REGISTRATION
H 1277	BANKS/ALTERNATIVE MINIMUM TAX
H 1297	FUNERAL CONTRACT INVESTMENTS
H 1331	CHOCOLATE MILK/SOFT DRINK TAX
H 1343	QUALITY JOBS AND BUSINESS EXPANSION
H 1350	UNDERGROUND STORAGE TANK AMENDMENTS '96
H 1351	WELL AND PUMP CONTRACTORS
H 1368	BOXING COMMISSION CHANGES
H 1373	1996 ECONOMIC INCENTIVES PACKAGE
H 1426	REPEAL SAFE DEPOSIT INVENTORY FEE
H 1428	INHERITANCE AND GIFT TAX CHANGES
H 1433	INVESTMENT TAX CREDITS
S 7	LOCAL OPTION HOMESTEAD INCREASES
S 9	EXPAND HOMESTEAD EXEMPTION
S 44	SPECIAL LICENSE PLATES
S 65	REGULATE CHECK CASHING
S 170	ELIMINATE DOUBLE VEHICLE TAX
S 181	PUBLIC HOSPITAL TRUST INCOME EXEMPT
S 269	DALLAS PROPERTY MAINTENANCE
S 288	ALLEGHANY SCHOOL ACQUISITION
S 291	NONPROFIT LICENSE TAX EXEMPTION
S 307	SANITARY DISTRICTS "QUICK TAKE"
S 503	ALLOW SEASONAL, RESTRICTED COMMERCIAL DRIVERS LICENSE
S 536	MOUNT AIRY OCCUPANCY TAX
S 557	WILMINGTON ANNEXATION AGREEMENT
S 572	SMALL BUSINESS SURETY BONDS
S 678	CONSUMER PROTECTION FUND/AB
S 976	BOAT NUMBER FEES
S 988	RECYCLABLE HAULERS WEIGHT RELIEF/ RECREATIONAL VEHICLE TRAILERS
S 1015	AMEND TIME SHARE REGISTRATION FEES
S 1108	SOFT DRINK TAX ON MILK DRINKS
S 1284	MODIFY STATE PORTS TAX INCENTIVE
S 1313	CASTLE HAYNE INCORPORATION
S 1319	REIDSVILLE ANNEXATIONS

- S 1330 SEDALIA INCORPORATED
- S 1399 COLUMBUS COUNTY LEASE TERM

HEALTH & ENVIRONMENT

- H 308 PROMOTE POLLUTION PREVENTION
- H 631 WATER WELLS LOCATION EXEMPTION
- H 816 ENVIRONMENTAL PERMIT APPEALS
- H 828 DISCONTINUE OXYGENATED GAS USE
- H 874 ENVIRONMENTAL IMPACTS ON RIVERS
- H 888 WATERSHED PROTECTION REPEAL
- H 921 REPEAL WATERSHED PROTECTION ACT
- H 951 CARTERET/BEAVER CONTROL
- H 1359 UNLINED LANDFILLS/TEMPORARY EXTENSION

INSURANCE

- H 289 INSURANCE REFORM/HEALT
PLANNING COMMISSION
- H 290 MALPRACTICE REFORM/HEALTH
PLANNING COMMISSION
- H 351 CONTINUING EDUCATION EXEMPT/INSURANCE
- H 369 AMUSEMENT DEVICE INSURANCE
- H 408 INSURER FINANCIAL AMENDMENTS
- H 425 AUTO INSURANCE RATE-MAKING REFORM
- H 780 INSURANCE CONTINUING EDUCATION
- H 823 MENTAL HEALTH PARITY
- H 861 INSURANCE REFORM MEASURES
- H 915 SUBSTITUTE WORKERS' COMPENSATION
- H 1195 CONFORM RECEIVERSHIP LAWS
- H 1196 REPEAL REINSURANCE RESTRICTIONS
- H 1197 INSURANCE COMPANY INVESTMENTS
- S 880 BEACH PROPERTY INSURANCE

JUDICIARY I

- H 11 VETO
- H 34 TERM LIMITS FIVE PLUS ONE
- H 36 VETO/CONFIRMATION
- H 37 VETO CONFORMING CHANGES
- H 44 VETO CONFORMING CHANGES
- H 61 IMMUNITY FROM LIABILITY
- H 79 CONCEALED HANDGUN PERMIT
- H 116 PENALTIES/VIOLATIONS OF AGRICULTURE LAWS
- H 119 LANDOWNER PROTECTION
- H 170 REQUIRE ALTERNATIVE PUNISHMENTS

H 175	RULES APPROVED BY GENERAL ASSEMBLY
H 182	IMMUNITY FOR VOLUNTEER ENGINEERS
H 183	CLARIFY VOLUNTEER EMERGENCY MEDICAL SERVICES LIABILITY
H 185	DEFENSE OF SOCIAL WORKERS
H 186	DUTY TO DEFEND STATE EMPLOYEES
H 193	STRENGTHEN STANDARDS FOR RULES REVIEW COMMISSION
H 194	SUBJECT MATTER RULE NOTICE
H 431	DRUG NUISANCE/FORFEITURE
H 445	EXPEDITE PUBLIC HOUSING EVICTION
H 453	HOUSING AUTHORITY/RENT NO WAIVER
H 454	VISITORS/GUESTS HOUSING AUTHORITY
H 455	DRUG-FREE PUBLIC HOUSING ZONE
H 514	CERTIFIED CLINICAL SOCIAL WORKERS CORPORATIONS
H 516	DRUG TREATMENT COURT ACT
H 528	REMOVE JUDICIAL GAG RULE
H 557	JOHNSTON/DOGS RUNNING AT LARGE
H 560	JUDICIAL SELECTION/COMPREHENSIVE REFORM
H 599	ELIMINATE BROWN BAGGING PERMITS
H 790	LIVING WILLS CLARIFIED
H 797	STRENGTHEN PUBLIC RECORDS LAW
H 862	NO PREFERENCES GRANTED
H 863	ATTORNEY GRIEVANCE PROCEDURE
H 867	PUBLIC MEMBERS/STATE BAR COUNCIL
H 918	COUNTY PREANNEXATION APPROVAL
H 950	JUDICIAL ELECTIONS
H 1282	BUDGET/CONSTITUTION AMENDMENT
S 116	DUTY TO DEFEND STATE EMPLOYEES
S 192	VITAMINS DISPENSED BY CHIROPRACTOR/EXEMPT
S 279	SCHOOL BOARDS/QUICK TAKE
S 513	ANTIDEFICIENCY JUDGMENT AMEND
S 521	HOUSING ENFORCEMENT LIS PENDENS-2
S 550	SUPERIOR COURT ELECTORAL REFORM
S 721	STRICT LIABILITY/MINOR'S DAMAGE
S 814	MEMORANDUM FILED WITH MOTION
S 844	CALENDARING ARRAIGNMENTS/SUPERIOR COURT
S 961	NONPARTISAN JUDICIAL ELECTIONS
S 1308	ADMINISTRATIVE SEARCH WARRANTS/ WHEN SERVED

JUDICIARY II

H 51	ALLOW PRIVATE PRISONS
H 150	INCREASE PENALTIES/DRUG SALES
H 151	IMPAIRED DRIVING/PRIOR RECORDS
H 152	AMEND CRIMINAL JUSTICE PARTNERSHIP ACT
H 176	INCREASE PENALTY FOR MISDEMEANOR ASSAULT
H 200	MANDATORY VOTER IDENTIFICATION
H 201	POLL GREETER DISTANCE
H 318	CAMPAIGN DRIVERS LICENSED AS TAXI
H 387	COMMON-LAW ROBBERY PENALTY
H 398	PRO SE INDIGENT PRISONERS
H 399	INCREASE SOME FELONY PENALTIES
H 407	NO TAX FUNDED CAMPAIGNS
H 411	AMEND EXTRADITION LAWS
H 412	ELECTION ENFORCEMENT
H 432	FINGERPRINT DELINQUENT JUVENILES
H 449	IMPROVE RESTITUTION COLLECTION
H 488	INDEPENDENT REDISTRICTING COMMISSION
H 522	GOVERNMENT CONSTRUCTION CONTRACTS
H 720	AMEND STRUCTURED SENTENCING
H 743	NO FIREARM/DOMESTIC VIOLENCE ORDER
H 747	ASSAULT ON LAW-ENFORCEMENT ANIMAL
H 765	ASSAULT LAW OFFICER
H 782	LOCAL OFFICERS-ENTER ALCOHOLIC BEVERAGE CONTROL PREMISES
H 827	LIMITED VOTING/EXTENDING TERMS
H 869	STANDBY GUARDIANSHIP ACT
H 884	SEX EXPLOITATION ACT
H 944	INCREASE HABITUAL FELON PUNISHMENT
H 945	RESETTING EXECUTION DATE
H 961	DRUG OFFENSE PENALTIES
H 967	ASSAULT LAW ENFORCEMENT OFFICER/ FIREFIGHTER/EMERGENCY MEDICAL PROVIDER
H 973	WAIVE JURY TRIAL/NONCAPITAL CASES
H 974	CAPITAL CASE APPEALS
H 1126	RELIGIOUS HOLIDAY ABSENTEE VOTE
H 1160	NATIONAL VOTER REGISTRATION ACT CORRECTIONS
H 1161	MODIFIED AT-LARGE ELECTION METHODS
S 383	EMERGENCY USE/PRISON LAUNDRY
S 564	RESETTING EXECUTION DATE
S 1122	LIFT EMPLOYMENT SECURITY COMMISSION VOTER SUNSET

- S 1126 COUNTYWIDE POLL WORKERS
- S 1260 FORECLOSURE FILING FEES
- S 1296 SEX OFFENDER POST-RELEASE SUPERVISION

LOCAL & REGIONAL GOVERNMENT I

- H 462 COLUMBUS OCCUPANCY TAX
- H 472 CHARLOTTE RECORD COPIES
- H 480 SCOTLAND SCHOOL FUNDING
- H 499 CARTERET SCHOOL PAY DATE
- H 510 GREENE SCHOOL ACQUISITION
- H 567 DRUG-FREE HOUSING ZONE/NEW BERN
- H 581 HERTFORD COUNTY LOCAL ACT
- H 582 BERTIE LOCAL ACT
- H 623 CRAVEN DRAINAGE COMMISSIONERS
- H 711 NORTHAMPTON/DEPARTMENT OF SOCIAL SERVICES BOARD EMPLOYMENT
- H 1143 VANCE SCHOOL ACQUISITION
- H 1154 WALLACE EXTRATERRITORIAL PLANNING JURISDICTION
- H 1223 PERSON COUNTY SCHOOL FINANCE
- H 1290 LAKE HICKORY NO-WAKE ZONE
- H 1319 ROSE HILL SUBDIVISION DEFINITION
- H 1389 MOUNT OLIVE CONDEMNATION
- H 1420 INTERCHANGE DEVELOPMENT ALCOHOLIC BEVERAGE CONTROL PERMITS
- S 179 ROCKINGHAM TOURISM DEVELOPMENT AUTHORITY MEMBERSHIP
- S 270 SHELBY OCCUPANCY TAX
- S 592 FAYETTEVILLE FAIR HOUSING AMENDMENTS
- S 726 WAKE SCHOOL ACQUISITION
- S 1189 COUNTY SCHOOL ACQUISITIONS
- S 1218 CONVEY OLD MAPLE HILL SCHOOL
- S 1278 JACKSONVILLE SITE PLAN REVIEW
- S 1374 CERRO GORDO PRIVATE SALE
- S 1392 ABERDEEN ANNEXATION
- S 1400 BRUNSWICK TERMS

LOCAL & REGIONAL GOVERNMENT II

- H 1206 TYRRELL LAND TRANSFER TAX
- H 1380 BURLINGTON PRIVATE SALE
- S 163 WHITEVILLE SCHOOL BOARD
- S 254 MOUNT AIRY ELECTIONS
- S 283 AMEND RICHMOND DEER HUNTING

- S 527 SANDYFIELD CHARTER REPEAL
- S 529 ALAMANCE COURTHOUSE CONSTRUCTION
- S 602 FOSCOE INCORPORATED
- S 627 CUMBERLAND ROOM TAX ADMINISTRATION
- S 1172 ROCKINGHAM EQUALIZATION AND REVIEW
BOARD MEETINGS
- S 1379 DURHAM COUNTY GUN PERMIT FEE

PENSIONS & RETIREMENT

- H 52 FIREMEN/RESCUE SQUAD BENEFITS
- H 107 FIREMEN/RESCUE SQUAD BENEFITS
- H 236 REPEAL INSURANCE SURCHARGE
- H 589 CATAWBA/DEPUTIES' RETIREMENT
- H 1335 GASTONIA SUPPLEMENTAL FUNDS
- S 255 MOUNT AIRY SUPPLEMENTARY FUND

PUBLIC EMPLOYEES

- H 959 NO SECOND PAYCHECK
- H 971 STATE EMPLOYEES POLITICAL ACTIVITY

PUBLIC UTILITIES

- H 221 WATER/SEWER BOND
- H 247 REMOVE FUEL COST ADJUSTMENT SUNSET

RULES, CALENDAR & OPERATIONS OF THE HOUSE

- H 210 CAREER TEACHER DISMISSALS
- H 597 STUDY STATE PROPERTY RIGHTS ACT
- H 677 ABOLISH/CONSOLIDATE EXECUTIVE BOARDS
- H 841 VETERANS HOME SIZE REDUCED
- H 858 OPEN PRIMARIES
- H 866 RESTORE PRIVATE PROPERTY RIGHTS/FUNDS
- H 875 DIRECT CONTROL OF COUNTY BOARDS
- H 886 STATE AUTHORITY/FEDERAL CLEAN WATER ACT
- H 922 ELECTION REFORM LEGISLATION
- H 956 MEDICAID MANAGED CARE
- H 1032 TAX CREDIT CHANGES
- H 1057 LEGISLATIVE RESEARCH COMMISSION STUDY TAX
ISSUES RELATING TO PUBLIC AND PRIVATE
RETIREMENT BENEFITS AND TO STATE AND
LOCAL GOVERNMENTS
- H 1064 STUDY RESTORE TAX BURDEN ON WEALTHY
- H 1066 NONRECYCLING PLASTICS PRODUCERS PAY
- H 1087 VOLUNTEER FIRE DEPARTMENT WORKERS'

		COMPENSATION/APPROPRIATION	
H	1175	EXTEND PORTS STUDY	
H	1225	PUBLIC LAWS/BUDGET	
H	1226	BUDGET/PUBLIC LAWS	
H	1245	SCHOOL LAW REVISION COMMISSION	
H	1249	PROFESSIONAL TEACHING STANDARDS COMMISSION	
H	1267	SPEED LIMITS	
H	1283	BUDGET ADJUSTMENTS/CONFORMING	
H	1292	WELFARE STUDY COMMISSION CONTINUED	
H	1315	CHILD FATALITY TASK FORCE EXTENSION	
H	1318	MEDICAID STUDY EXTENSION	
H	1349	AMEND PSYCHOLOGY PRACTICE ACT	
H	1361	CRIMINAL PROCEDURE STUDY FUNDS	
H	1362	SUBSTANCE ABUSE CERTIFICATION RULE DISAPPROVED	
H	1363	RESOLVE ADMINISTRATIVE PROCEDURE ACT PROBLEMS	
H	1364	RESIDENTIAL BUILDING CODE RULES REVIEW	
H	1365	COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM STUDY	
H	1396	BRUNSWICK/LAND RECORDS	
H	1415	WAKE CANDIDATE WITHDRAWALS	
H	1418	ALLOW CONSOLIDATED HUMAN SERVICES BILL	
H	1425	ALLOW MOTLEY RESOLUTION	
H	1434	LEGISLATIVE RESEARCH COMMISSION STUDY WELFARE CHANGE	
H	1441	ALLOW AMERICAN FEDERATION OF TEACHERS' RESOLUTION	
S	38	CAMPAIGN REPORTING	
S	99	SCHOOL FLEXIBILITY/ACCOUNTABILITY	
S	213	HONOR FEDERAL CONVENTION OF 1787 DELEGATION	
S	247	PARTY GIFTS EXEMPTION	
S	249	MENTAL HEALTH STUDY COMMISSION	
S	332	AMEND CERTAIN LOAN PROCEDURES	
S	351	WAR VETERAN SPECIAL PLATE	
S	374	MOORE COUNTY SCHOOL BOARD PAY	
S	523	CHATHAM LEASE	
S	524	ORANGE OMNIBUS	
S	565	CORRECTION OVERSIGHT SALARY STUDY	
S	713	DURHAM FACILITIES FEES	
S	780	NURSING HOMES REQUIREMENT	

S 914	STUDY EMPLOYEE LEAVE SHARING
S 919	MOTOR VEHICLE DEALER SUCCESSION
S 1084	AMEND REPROCESSED OIL REGULATION
S 1095	HONOR DECEASED NORTH CAROLINA WOMEN LEGISLATORS
S 1100	HONORING 82ND AIRBORNE DIVISION
S 1118	PEMBROKE STATE UNIVERSITY NAME CHANGE
S 1136	AMEND LOCAL SALES TAXES
S 1182	AGENCY PRINTING
S 1188	TRESPASS/THEFT OF PINE STRAW
S 1241	DEPENDENT JUVENILE DEFINITION CHANGE
S 1297	CONDITIONS OF PROBATION
S 1324	RESOLVE ADMINISTRATIVE PROCEDURE ACT OVERSIGHT PROBLEMS
S 1344	SUPPLEMENTAL INSURANCE BENEFITS
S 1396	NEW HANOVER NURSING HOME BOARD
S 1493	ALLOW KURE BEACH PROJECT

STATE GOVERNMENT

H 385	LOCAL SALES TAX INFORMATION
H 394	AMEND DUTIES OF STATE CONTROLLER
H 616	ABOLISH DEPARTMENT OF ADMINISTRATION
H 723	LABOR DEPARTMENT TO COMMERCE
H 887	COUNTY POLICE FORCE
H 889	FINANCIAL AID/REGISTERED VOTER ONLY
H 894	TRANSFER CHINQUA-PENN
H 904	SECRETARY OF STATE REORGANIZATION
H 928	STATE POLITICAL HIRING LIMITED
H 968	ANNEXATION REIMBURSEMENT
H 976	OLYMPICS SPECIAL PLATES
S 330	NURSING HOME ADMINISTRATORS BOARD
S 447	ELIMINATE BOARD SELF-APPOINTMENTS

STATE GOVERNMENT - BOARDS & COMMISSIONS

H 600	ON-SITE WASTEWATER SYSTEM CONTRACTORS
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TRANSPORTATION

H 148	LEFT TURN ON RED
H 199	SANITARY DISTRICT UTILITIES RELOCATIONS
H 264	GRADUATED DRIVERS LICENSES
H 278	ALTERNATIVE FUEL LOAN FUND
H 298	YOUTH-ALCOHOL DRIVERS LICENSE REVOCATION
H 349	SPORTS TEAMS SPECIAL PLATES

H 421	TRANSFER PORTS AUTHORITY
H 466	EXEMPT LOW-VALUE TRAILERS
H 476	65 MILES PER HOUR-ALAMANCE INTERSTATE SPEED
H 569	DIVISION OF MOTOR VEHICLE ENFORCEMENT OFFICERS
H 748	SALVAGE MOTOR VEHICLE BUSINESSES
H 777	URBAN LOOP FUNDS REALLOCATED
H 856	GOLF CART USAGE PERMITTED
H 916	MOTORCYCLE HANDICAPPED PLATES
H 957	MOTOR VEHICLE DEALER BONDS
H 1009	SEAT BELTS ON NEW SCHOOL BUSES
H 1113	REPEAL SAFETY INSPECTION
H 1142	VEHICLE MAY NOT TOW SLED
H 1232	MEDICAL EVALUATION REPORTS TO DIVISION OF MOTOR VEHICLES
S 839	GRADUATED DRIVERS LICENSES

TRANSPORTATION - AIRPORTS, RAILWAYS & WATERWAYS

H 243	RAILROAD TRESPASSING/CROSSING SAFETY
H 857	COMPULSORY USE OF PILOTS

WAYS & MEANS

H 388	TRUCK WEIGHT TOLERANCES LIMITS
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WELFARE REFORM & HUMAN RESOURCES

H 19	1995 WELFARE REFORM
H 822	FAMILIES WITH DISABILITIES SUPPORT ACT
S 346	STATE WORK PROGRAM REPEAL
S 807	REGIONAL VOCATIONAL AUTHORITIES
S 939	REPORTABLE DISEASE CHANGES
S 1063	MENTAL HEALTH SUBSTANCE ABUSE WOMEN/CHILD

WELFARE REFORM & HUMAN RESOURCES - AGING

H 99	AGING COMMISSION SUBCOMMITTEE/ LONG-TERM CARE CHANGES
H 451	HOSPITAL PENALTY EXPANDED

WELFARE REFORM & HUMAN RESOURCES - FAMILIES

H 259	DAY CARE PROVIDER RECORDS
H 261	CHILD DAY CARE RATES/FUNDS

TORT REFORM - SELECT COMMITTEE

- H 636 RULE 11 SANCTIONS
- H 731 COLLATERAL SOURCE EVIDENCE
- H 820 LOSER PAYS ATTORNEYS' FEES
- H 965 EXTEND CIVIL PROCEDURE RULE 11

BILLS CALENDARED PURSUANT TO RULE 36(a)

Pursuant to Rule 36(a), the following bills were reported from committee, but were not calendared for consideration by the House of Representatives:

- H 50 OPTOMETRY CHANGES
- H 288 HEALTH REFORM INITIATIVES/
HEALTH PLANNING COMMISSION
- H 406 SWEET POTATO AS STATE VEGETABLE
- H 502 COUNTY SALES TAX FOR SCHOOLS
- H 755 OFFICIAL STATE DANCE
- H 769 OFFICIAL STATE DANCES
- H 1091 WORKERS' COMPENSATION FRAUD
- H 1104 SCHOOL FACILITIES TRUST FUND
- H 1134 CRAVEN ROOM TAX CHANGES
- H 1170 AGENCY PRINTING
- H 1241 BUNDLED TRANSACTIONS SALES TAX
- H 1341 DEPARTMENT OF ENVIRONMENT, HEALTH
AND NATURAL RESOURCES RESTRUCTURING
- H 1346 ADMINISTRATIVE SEARCH WARRANTS/
WHEN SERVED
- H 1452 NO SAME-SEX MARRIAGES
- H 1454 HONORING JOHN CARTERET
- S 21 USE OF TEACHER ASSISTANT FUNDS
- S 22 ALLOCATE SCHOOL TECHNOLOGY RESERVE FUNDS
- S 209 MODIFY ACTIVE SENTENCE
- S 488 DIVISION OF MOTOR VEHICLES/BUSINESS
LICENSE INFORMATION
- S 544 TRANSFER FACILITIES PUBLIC HEARINGS
- S 567 DOMESTIC VIOLENCE CHANGES
- S 573 OPTOMETRY CHANGES
- S 723 TELEPHONE CONSUMER PROTECTION 2
- S 846 ADVANCE INSTRUCTION/MENTAL
HEALTH TREATMENT
- S 922 OPPORTUNITIES FOR TEACHER ASSISTANTS
- S 1123 NATIONAL VOTER REGISTRATION
ACT CORRECTIONS
- S 1180 ACCOUNTING FOR 911 SURCHARGES
- S 1273 NO DIVISION OF MOTOR VEHICLE

	COMMISSIONER POSITION
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**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 955**

PCCS 6254, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL.

The General Assembly of North Carolina enacts:

Section 1. This act shall be known as the "Charter Schools Act of 1996".

Sec. 2. Article 16 of Chapter 115C of the General Statutes is amended by adding a new Part to read:

"Part 6A. Charter Schools.

"§ 115C-238.29A. Purpose.

The purpose of this Part is to authorize a system of charter schools to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently of existing schools, as a method to accomplish all of the following:

- (1) Improve student learning;
- (2) Increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are identified as at risk of academic failure or academically gifted;
- (3) Encourage the use of different and innovative teaching methods;
- (4) Create new professional opportunities for teachers, including the opportunities to be responsible for the learning program at the school site;
- (5) Provide parents and students with expanded choices in the types of educational opportunities that are available within the public school system; and
- (6) Hold the schools established under this Part accountable for meeting measurable student achievement results, and provide the schools with a method to change from rule-based to performance-based accountability systems.

"§ 115C-238.29B. Eligible applicants; contents of applications; submission of applications for approval.

(a) Any person, group of persons, or nonprofit corporation seeking to establish a charter school within a local school administrative unit may apply to establish a charter school on behalf of a private nonprofit corporation. If the applicant seeks to convert a public school to a charter school, the application shall include a statement signed by a majority of the teachers and instructional support personnel currently employed at the school indicating that they favor

the conversion and evidence that a significant number of parents of children enrolled in the school favor conversion.

(b) The application shall contain at least the following information:

- (1) A description of a program that implements one or more of the purposes in G.S. 115C-238.29A.
- (2) A description of student achievement goals for the school's educational program and the method of demonstrating that students have attained the skills and knowledge specified for those student achievement goals.
- (3) The governance structure of the school including the process to be followed by the school to ensure parental involvement.
- (4) Admission policies and procedures.
- (5) A proposed budget for the school and evidence that the plan for the school is economically sound.
- (6) Requirements and procedures for program and financial audits.
- (7) A description of how the school will comply with G.S. 115C-238.29F.
- (8) Types and amounts of insurance coverage, including bonding insurance for the principal officers of the school, to be obtained by the charter school.
- (9) The term of the contract.
- (10) The qualifications required for individuals employed by the school.
- (11) The procedures by which students can be excluded from the charter school and returned to a public school. Notwithstanding any law to the contrary, any local board may refuse to admit any student who is suspended or expelled from a charter school due to actions that would lead to suspension or expulsion from a public school under G.S. 115C-391 until the period of suspension or expulsion has expired.
- (12) The number of students to be served, which number shall be at least 65, and the minimum number of teachers to be employed at the school, which number shall be at least three. However, the charter school may serve fewer than 65 students or employ fewer than three teachers if the application contains a compelling reason, such as the school would serve a geographically remote and small student population.
- (13) Information regarding the facilities to be used by the school and the manner in which administrative services of the school are to be provided.
- (14) A description of whether the school will operate independently of the local board of education or whether it

agrees to be subject to some supervision and control of its administrative operations by the local board of education. In the event the charter school elects to operate independently of the local board of education, the application must specify which employee benefits will be offered to its employees and how the benefits will be funded.

(c) An applicant shall submit the application to a chartering entity for preliminary approval. A chartering entity may be:

- (1) The local board of education of the local school administrative unit in which the charter school will be located;
- (2) The board of trustees of a constituent institution of The University of North Carolina, so long as the constituent institution is involved in the planning, operation, or evaluation of the charter school; or
- (3) The State Board of Education.

Regardless of which chartering entity receives the application for preliminary approval, the State Board of Education shall have final approval of the charter school.

"§ 115C-238.29C. Preliminary approval of applications for charter schools.

(a) The chartering entity that receives a request for preliminary approval of a charter school shall act on each request received prior to November 1 of a calendar year by February 1 of the next calendar year.

(b) The chartering entity shall give preliminary approval to the application if the chartering entity determines that (i) information contained in the application meets the requirements set out in this Part or adopted by the State Board of Education, (ii) the applicant has the ability to operate the school and would be likely to operate the school in an educationally and economically sound manner, and (iii) granting the application would improve student learning and would achieve one of the other purposes set out in G.S. 115C-238.29A. In reviewing applications for the establishment of charter schools within a local school administrative unit, the chartering entity is encouraged to give preference to applications that demonstrate the capability to provide comprehensive learning experiences to students identified by the applicants as at risk of academic failure. If the chartering entity approves more than one application for charter schools located in a local school administrative unit, the chartering entity may state its order of preference among the applications that it approves.

(c) If a chartering entity other than the State Board disapproves an application, the applicant may appeal to the State Board of Education prior to February 15. The State Board shall consider the appeal at the same time it is considering final approval in accordance with G.S. 115C-238.29D. The State Board shall give preliminary approval of the application if it finds that the

chartering entity acted in an arbitrary or capricious manner in disapproving the application, failed to consider appropriately the application, or failed to act within the time set out in G.S. 115C-238.29C.

If the chartering entity, the State Board of Education, or both, disapprove an application, the applicant may modify the application and reapply subject to the application deadline contained in subsection (a) of this section.

"§ 115C-238.29D. Final approval of applications for charter schools.

(a) The State Board shall grant final approval of an application if it finds that the application meets the requirements set out in this Part or adopted by the State Board of Education and that granting the application would achieve one or more of the purposes set out in G.S. 115C-238.29A. The State Board shall act by March 15 of a calendar year on all applications and appeals it receives prior to February 15 of that calendar year.

(b) The State Board shall authorize no more than five charter schools per year in one local school administrative unit. The State Board shall authorize no more than 100 charter schools statewide. If more than five charter schools in one local school administrative unit or more than 100 schools statewide meet the standards for final approval, the State Board shall give priority to applications that are most likely to further State education policies and to strengthen the educational program offered in the local school administrative units in which they are located.

(c) The State Board of Education may authorize a school before the applicant has secured its space, equipment, facilities, and personnel if the applicant indicates the authority is necessary for it to raise working capital. The State Board shall not allocate any funds to the school until the school has obtained space.

(d) The State Board of Education may grant a charter for a period not to exceed five years and may renew the charter upon the request of the chartering entity for subsequent periods not to exceed five years each. A material revision of the provisions of a charter application shall be made only upon the approval of the State Board of Education.

"§ 115C-238.29E. Charter school operation.

(a) A charter school that is approved by the State shall be a public school within the local school administrative unit in which it is located. It shall be accountable to the local board of education for purposes of ensuring compliance with applicable laws and the provisions of its charter.

(b) A charter school shall be operated by a private nonprofit corporation that shall have received federal tax-exempt status no later than 24 months following final approval of the application.

(c) A charter school shall operate under a written contract signed by the local board of education and the applicant. The contract shall incorporate at a minimum the information provided in the application, as modified during the charter approval process, and any terms and conditions imposed on the charter

school by the State Board of Education.

If the local board of education does not sign the contract, the State Board may sign on behalf of the local board.

(d) The board of directors of the charter school shall decide matters related to the operation of the school, including budgeting, curriculum, and operating procedures.

(e) A charter school shall be located in the local school administrative unit with which it signed the contract. Its specific location shall not be prescribed or limited by a local board or other authority except a zoning authority. The school may lease space from a local board of education, from a public or private nonsectarian organization, or as is otherwise lawful in the local school administrative unit in which the charter school is located.

(f) Except as provided in this Part and pursuant to the provisions of its contract, a charter school is exempt from statutes and rules applicable to a local board of education or local school administrative unit.

"§ 115C-238.29F. General requirements.

(a) Health and Safety Standards. -- A charter school shall meet the same health and safety requirements required of a local school administrative unit.

(b) School Nonsectarian. -- A charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations and shall not charge tuition. A charter school shall not be affiliated with a nonpublic sectarian school or a religious institution.

(c) Civil Liability and Insurance. --

(1) The board of directors of a charter school may sue and be sued. The board of directors shall obtain at least the amount of and types of insurance required by the contract.

(2) No civil liability shall attach to any chartering entity, to the State Board of Education, or to any of their members or employees, individually or collectively, for any acts or omissions of the charter school. In the event a charter school has not elected total independence from the local board of education under subsection (e) of this section, the immunity established by this subsection shall be deemed to have been waived to the extent of indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as set forth in Article 31 of Chapter 143 of the General Statutes.

(d) Instructional Program. --

(1) The school shall provide instruction each year for at least 180 days.

(2) The school shall design its programs to at least meet the student performance standards adopted by the State Board of

Education and the student performance standards contained in the contract with the local board of education.

- (3) A charter school shall conduct the student assessments required for charter schools by the State Board of Education.
- (4) The school shall comply with policies adopted by the State Board of Education for charter schools relating to the education of children with special needs.
- (5) The school is subject to and shall comply with Article 27 of Chapter 115C of the General Statutes; except that a charter school may also exclude a student from the charter school and return that student to another school in the local school administrative unit in accordance with the terms of its contract.

(e) Employees. --

- (1) An employee of a charter school is not an employee of the local school administrative unit in which the charter school is located. The charter school's board of directors shall employ and contract with necessary teachers to perform the particular service for which they are employed in the school; at least seventy-five percent (75%) of these teachers in grades kindergarten through five, at least fifty percent (50%) of these teachers in grades six through eight, and at least fifty percent (50%) of these teachers in grades nine through 12 shall hold teacher certificates. The board also may employ necessary employees who are not required to hold teacher certificates to perform duties other than teaching and may contract for other services. The board may discharge teachers and noncertificated employees.
- (2) No local board of education shall require any employee of the local school administrative unit to be employed in a charter school.
- (3) If a teacher employed by a local school administrative unit makes a written request for an extended leave of absence to teach at a charter school, the local school administrative unit shall grant the leave. The local school administrative unit shall grant a leave for any number of years requested by the teacher, shall extend the leave for any number of years requested by the teacher, and shall extend the leave at the teacher's request. The local school administrative unit may require that the request for a leave or extension of leave be made up to 90 days before the teacher would otherwise have to report for duty. A teacher who has career status under G.S. 115C-325 prior to receiving an extended leave of absence to

teach at a charter school may return to a public school in the local school administrative unit with career status at the end of the leave of absence or upon the end of employment at the charter school if an appropriate position is available. If an appropriate position is unavailable, the teacher's name shall be placed on a list of available teachers and that teacher shall have priority on all positions for which that teacher is qualified in accordance with G.S. 115C-325(e)(2).

- (4) In the event a charter school, in its application, elects total independence from the local board of education, its employees shall not be deemed to be employees of the local school administrative unit and shall not be entitled to any State-funded employee benefits, including membership in the North Carolina Teachers' and State Employees' Retirement System or the Teachers' and State Employees' Comprehensive Major Medical Plan. In the event a charter school, in its application, agrees to be subject to some supervision and control of its administrative operations by the local board of education, the employees of the charter school will be deemed employees of the local school administrative unit for purposes of providing certain State-funded employee benefits, including membership in the Teachers' and State Employees' Retirement System and the Teachers' and State Employees' Comprehensive Major Medical Plan. The Board of Trustees of the Teachers' and State Employees' Retirement System, in consultation with the State Board of Education, shall determine the degree of supervision and control necessary to qualify the employees of the applicant for membership in the Retirement System. In no event shall anything contained in this Part require the North Carolina Teachers' and State Employees' Retirement System to accept employees of a private employer as members or participants of the System.

(f) Accountability. --

- (1) The school is subject to the financial audits, the audit procedures, and the audit requirements adopted by the State Board of Education for charter schools.
- (2) The school shall comply with the reporting requirements established by the State Board of Education in the Uniform Education Reporting System.
- (3) The school shall report at least annually to the chartering entity and the State Board of Education the information required by the chartering entity or the State Board.

(g) Admission Requirements. --

- (1) Any child who is qualified under the laws of this State for admission to a public school is qualified for admission to a charter school.
- (2) No local board of education shall require any student enrolled in the local school administrative unit to attend a charter school.
- (3) Admission to a charter school shall not be determined according to the school attendance area in which a student resides, except that any local school administrative unit in which a public school converts to a charter school shall give admission preference to students who reside within the former attendance area of that school.
- (4) Admission to a charter school shall not be determined according to the local school administrative unit in which a student resides, except that the provisions of G.S. 115C-366(d) shall apply to a student who wishes to attend a charter school in a county other than the county in which the student resides.
- (5) A charter school shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability. Except as otherwise provided by law or the mission of the school as set out in the contract, the school shall not limit admission to students on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, or ancestry. Within one year after the charter school begins operation, the population of the school shall reasonably reflect the racial and ethnic composition of the general population residing within the local school administrative unit in which the school is located or the racial and ethnic composition of the special population that the school seeks to serve residing within the local school administrative unit in which the school is located. The school shall be subject to any court-ordered desegregation plan in effect for the local school administrative unit.
- (6) The school shall enroll an eligible student who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, students shall be accepted by lot.
- (7) Notwithstanding any law to the contrary, a charter school may refuse admission to any student who has been expelled or suspended from a public school under G.S. 115C-391 until the period of suspension or expulsion has expired.

(h) Transportation. -- The charter school shall provide transportation for students enrolled at the school who reside in the local school administrative unit in which the school is located. The charter school may provide transportation for students enrolled at the school who reside in different local school administrative units.

(I) Assets. -- Upon dissolution of the charter school or upon the nonrenewal of the charter, all assets of the charter school shall be deemed the property of the local school administrative unit in which the charter school is located.

"§ 115C-238.29G. Causes for nonrenewal or termination.

The State Board of Education, or a chartering entity subject to the approval of the State Board of Education, may terminate or not renew a contract upon any of the following grounds:

- (1) Failure to meet the requirements for student performance contained in the contract;
- (2) Failure to meet generally accepted standards of fiscal management;
- (3) Violations of law;
- (4) Material violation of any of the conditions, standards, or procedures set forth in the contract;
- (5) Two-thirds of the faculty and instructional support personnel at the school request that the contract be terminated or not renewed; or
- (6) Other good cause identified.

The State Board of Education shall develop and implement a process to address contractual and other grievances between a charter school and its chartering entity during the time of its charter.

"§ 115C-238.29H. State and local funds for a charter school.

(a) The State Board of Education shall allocate to each charter school (i) an amount equal to the average per pupil allocation for average daily membership from the local school administrative unit allotments in which the charter school is located for each child attending the charter school except for the allocation for children with special needs and (ii) an additional amount for each child attending the charter school who is a child with special needs.

Funds allocated by the State Board of Education shall not be used to purchase land or buildings. The school may own land and buildings it obtained through non-State sources.

(b) If a student attends a charter school, the local school administrative unit in which the child resides shall transfer to the charter school an amount equal to the per pupil local current expense appropriation to the local school administrative unit for the fiscal year.

"§ 115C-238.29I. Notice of the charter school process; review of charter schools; Charter School Advisory Committee.

(a) The State Board of Education shall distribute information announcing

the availability of the charter school process described in this Part to each local school administrative unit and public postsecondary educational institution and, through press releases, to each major newspaper in the State.

(b) The State Board of Education shall report annually to the Joint Legislative Education Oversight Committee and the Joint Legislative Commission on Governmental Operations the following information:

- (1) The current and projected impact of charter schools on the delivery of services by the public schools;
- (2) Student academic progress in the charter schools as measured, where available, against the academic year immediately preceding the first academic year of the charter schools' operation; and
- (3) Best practices resulting from charter school operations.

The State Board of Education shall base its report in part upon the annual reports submitted by the charter schools under G.S. 115C-238.29F(f)(3). To the extent possible, the State Board of Education shall present the information in disaggregated form relative to the race, gender, grade level, and economic condition of the students.

(c) The State Board of Education shall review the educational effectiveness of the charter school approach authorized under this Part and the effect of charter schools on the public schools in the local school administrative unit in which the charter schools are located and, not later than January 1, 1999, shall report to the Joint Legislative Education Oversight Committee with recommendations to modify, expand, or terminate that approach. Analysis of the reports submitted under subsection (b) of this section shall be the predominant factor in determining whether the number of charter schools shall be increased and the conditions under which any increase or continued operation shall be allowed. If the analysis indicates demonstrable, substantial success, the General Assembly shall consider expanding the number of charter schools that may be established.

(d) The State Board of Education may establish a Charter School Advisory Committee to assist with the implementation of this Part. The Charter School Advisory Committee may (i) provide technical assistance to chartering entities or to potential applicants, (ii) review applications for preliminary approval, (iii) make recommendations as to whether the State Board should approve applications for charter schools, (iv) make recommendations as to whether the State Board should terminate or not renew a contract, (v) make recommendations concerning grievances between a charter school and its chartering entity, (vi) assist with the review under subsection © of this section, and (vii) provide any other assistance as may be required by the State Board.

"§ 115C-238.29J. Public and private assistance to charter schools.

(a) Local boards of education are authorized and encouraged to provide administrative and evaluative support to charter schools located within their

local school administrative units and to contract with those charter schools to provide student transportation.

(b) Private persons and organizations are encouraged to provide funding and other assistance to the establishment or operation of charter schools.

(c) The State Board of Education shall direct the Department of Public Instruction to provide guidance and technical assistance, upon request, to applicants and potential applicants for charters."

Sec. 3. G.S. 135-40.1(6) reads as rewritten:

"(6) Employing Unit. -- A North Carolina School System; Community College; State Department, Agency or Institution; Administrative Office of the Courts; or Association or Examining Board whose employees are eligible for membership in a State-Supported Retirement System. An employing unit also shall mean a charter school in accordance with Part 6A of Chapter 115C of the General Statutes whose employees are deemed to be public employees and members of a State-Supported Retirement System."

Sec. 4. Nothing in this act shall be construed to obligate the General Assembly to appropriate funds to implement this act. In addition, all charters granted and all contracts entered into under this act are subject to any future appropriations and subsequent legislative changes.

Sec. 5. This act is effective upon ratification.

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GOVERNOR JAMES B. HUNT, JR.**

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HOUSE JOURNAL

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The North Carolina General Assembly, 1996-1997, is a comprehensive alphabetical index of all bills introduced in the House of Representatives during the session of said bill. It is printed in the House of Representatives and is available to its members and the public. The index is organized by chapter number and by House bill number. The index is printed in the House of Representatives and is available to its members and the public.

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HOUSE JOURNAL

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1996



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All bills dealing with funds are indexed under Appropriations, Local or Appropriations, Public. Local legislation is placed under the county it affects.

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- H 1293 BLADEN COMMUNITY COLLEGES SWINE FUNDS
(Postponed Indefinitely) 82, 491.
- H 1007 BREVARD MUSIC CENTER FUNDS
(Postponed Indefinitely) 482.
- H 990 BUNCOMBE WOMEN AT RISK FUNDS
(Postponed Indefinitely) 425, 481.
- H 1336 BUTNER CEMETERY FUNDS
(Postponed Indefinitely) 101, 492.
- H 525 CAPE FEAR RIVER PROGRAM FUNDS
(Postponed Indefinitely) 429, 474.
- H 1448 CAPE FEAR RIVER PROGRAM FUNDS
(Postponed Indefinitely) 152, 495.
- H 1450 CHARLOTTE H. BROWN SITE FUNDS
(Postponed Indefinitely) 153, 495.
- H 359 CRAVEN SEPTIC TANK FUNDS
(Postponed Indefinitely) 471.

APPROPRIATIONS, LOCAL-Contd.

H	1124	CUMBERLAND BEAVER MANAGEMENT FUNDS (Postponed Indefinitely)	30, 488.
H	737	DIVIDE DISTRICT COURT/PROSECUTORIAL DISTRICT 30 (Postponed Indefinitely)	424, 477.
H	1039	DUPLIN COMMUNITY CENTER FUNDS (Postponed Indefinitely)	418, 485.
S	431	EXTEND CHARLOTTE SCHOOL FUNDING PILOT PROGRAM (Postponed Indefinitely)	418, 496.
H	426	FARMERS MARKET IN RALEIGH FUNDS (Postponed Indefinitely)	428, 473.
H	1444	FARMVILLE PUBLIC LIBRARY FUNDS (Postponed Indefinitely)	152, 495.
H	1330	FAYETTEVILLE BUSINESS FUNDS (Postponed Indefinitely)	95, 492.
H	1416	FAYETTEVILLE FORESTRY FUNDS (Postponed Indefinitely)	139, 494.
H	163	FOLKMOOT UNITED STATES OF AMERICA FUNDS (Postponed Indefinitely)	466.
H	1274	FOLKMOOT UNITED STATES OF AMERICA FUNDS (Postponed Indefinitely)	78, 491.
H	263	FUNDS/DREXEL FAIR FACILITIES (Postponed Indefinitely)	419, 467.
H	1253	FUNDS/DREXEL FAIR FACILITIES (Postponed Indefinitely)	68, 490.
H	320	FUNDS/ROLLINS LABORATORY (Postponed Indefinitely)	427, 469.
H	1006	FUQUAY-VARINA COMMUNITY FUNDS (Postponed Indefinitely)	482.
H	551	GRASSROOTS SCIENCE MUSEUM FUNDS (Postponed Indefinitely)	429, 475.
H	949	GUILFORD DETENTION CENTER (Postponed Indefinitely)	422, 480.
H	1016	HARNETT CORRECTIONAL FUNDS (Postponed Indefinitely)	425, 483.
H	622	INDIAN CULTURAL CENTER FUNDS (Postponed Indefinitely)	419, 476.
H	800	KURE BEACH RENOURISHMENT FUNDS (Postponed Indefinitely)	430, 478.
H	1299	KURE BEACH RENOURISHMENT FUNDS (Postponed Indefinitely)	89, 491.

APPROPRIATIONS, LOCAL-Contd.

H 1442	L. R. HARRILL CENTER FUNDS (Postponed Indefinitely)	151, 495.
H 177	LAKE GASTON HYDRILLA ERADICATION FUNDS (Postponed Indefinitely)	427, 466.
H 1326	LEE FORESTRY BUILDING FUNDS (Postponed Indefinitely)	94, 492.
H 1021	LEE FORESTRY HEADQUARTERS FUNDS (Postponed Indefinitely)	431, 483.
H 1273	MADISON FORESTRY FUNDS (Postponed Indefinitely)	78, 490.
H 1123	MAXTON HISTORIC FUNDS (Postponed Indefinitely)	27, 488.
H 329	MCGEE CONSERVATION CENTER FUNDS (Postponed Indefinitely)	427, 470.
H 325	MEADOW BRANCH FUNDS NOT REVERT (Postponed Indefinitely)	427, 470.
H 444	MECKLENBURG DRUG COURT PROGRAM (Postponed Indefinitely)	424, 473.
H 1036	METROLINA FOOD BANK FUNDS (Postponed Indefinitely)	485.
H 465	NEW HANOVER COMMUNITY HEALTH FUNDS (Postponed Indefinitely)	473.
H 1405	NORTH CAROLINA CORE SOUND WATERFOWL MUSEUM (Postponed Indefinitely)	137, 494.
H 793	NORTH CAROLINA HIGH COUNTRY HOST FUNDS (Postponed Indefinitely)	478.
H 1042	O'NEAL-ROCKWOOD CONNECTOR STUDY (Postponed Indefinitely)	485.
H 702	PEMBROKE FIRE TRUCK FUNDS (Postponed Indefinitely)	476.
H 1033	PIEDMONT TRIAD PILOT SCHOOL PROJECT (Postponed Indefinitely)	417, 484.
H 1304	PITT FORESTRY FUNDS (Postponed Indefinitely)	90, 491.
H 1222	PRINCEVILLE CEMETERY/FUNDS (Postponed Indefinitely)	57, 489.
H 1386	RANDOLPH FOREST RANGER FUNDS (Postponed Indefinitely)	133, 493.
H 530	SHOOK-SMATHERS HOUSE FUNDS (Postponed Indefinitely)	419, 474.

APPROPRIATIONS, LOCAL-Contd.

H 1071	SOUTHEASTERN FARMERS' MARKET/ AGRICULTURAL CENTER FUNDS (Postponed Indefinitely)	13, 486.
H 996	SUMMIT HOUSE FUNDS (Postponed Indefinitely)	425, 481.
H 1285	SUMMIT HOUSE FUNDS (Postponed Indefinitely)	80, 491.
H 49	TRANSYLVANIA FORESTRY FUNDS (Postponed Indefinitely)	426, 464.
H 1004	TRIANGLE NATIVE AMERICAN FUNDS (Postponed Indefinitely)	419, 482.
H 1382	WELDON HARBOR FUNDS (Postponed Indefinitely)	124, 493.
H 1085	WILKES COUNTY RANGER FUNDS (Postponed Indefinitely)	19, 194, 431, 486.
H 608	WILMINGTON-NEW HANOVER STUDY FUNDS (Postponed Indefinitely)	475.

APPROPRIATIONS, PUBLIC

H 1100	1996 SCHOOL BONDS ACT (Ratified Ch.0631)	22, 60, 128, 171, 187, 246, 253, 276, 398, 399, 439, 509.
H 1250	ABC'S PLAN (Postponed Indefinitely) (S 1139) . .	64, 194, 418, 489.
S 1139	ABC'S PLAN (Ratified Ch.0716) (H 1250) .	124, 194, 247, 349, 409, 410, 514, 524, 526, 533, 559.
H 1153	ACCIDENT VICTIM IDENTIFICATION ACT/FUNDS (Postponed Indefinitely)	35, 488.
H 419	ADULT DEVELOPMENTAL ACTIVITY PROGRAM REIMBURSEMENT/FUNDS (Postponed Indefinitely)	421, 472.
H 76	AFRICAN-AMERICAN HERITAGE COMMITTEE (Postponed Indefinitely)	279.
H 763	AGRICULTURAL ECONOMIC PROGRAM FUNDS (Postponed Indefinitely)	415, 477.
H 346	AGRICULTURE FUNDS (Postponed Indefinitely)	428, 470.
H 524	AGRICULTURE WASTE STUDY (Postponed Indefinitely)	282.
H 1352	AGRONOMIC SERVICES PROGRAM FUNDS (Postponed Indefinitely)	105, 492.

APPROPRIATIONS, PUBLIC-Contd.

H	1048	AID TO FAMILIES WITH DEPENDENT CHILDREN- EMERGENCY ASSISTANCE FUNDS (Postponed Indefinitely)	423, 486.
H	549	AIDS PREVENTION FUNDS (Postponed Indefinitely)	429, 475.
H	700	ALCOHOLISM RESEARCH FUNDS (Postponed Indefinitely)	415, 476.
H	284	ALLIED HEALTH PROGRAM/FUNDS (Postponed Indefinitely)	468.
S	503	ALLOW SEASONAL, RESTRICTED COMMERCIAL DRIVERS LICENSES (Finance)	340.
H	180	ALTERNATIVE LEARNING PROGRAMS (Postponed Indefinitely)	414, 466.
H	1302	ALZHEIMER'S ASSOCIATION/FUNDS (Postponed Indefinitely)	90, 491.
H	364	ALZHEIMER'S UNIT FUNDS (Postponed Indefinitely)	421, 471.
H	1110	AMEND BUDGET (Postponed Indefinitely)	24, 487.
H	1213	ANIMAL WASTE FUNDS (Postponed Indefinitely)	50, 488.
H	356	ANIMAL WASTE MANAGEMENT FUNDS (Postponed Indefinitely)	428, 471.
H	433	APPRENTICESHIP EXPANSION FUNDS (Postponed Indefinitely)	428, 473.
H	521	BEAVER CONTROL FUNDS (Postponed Indefinitely)	429, 474.
H	1224	BEAVER MANAGEMENT FUNDS (Postponed Indefinitely)	57, 489.
H	384	BIOLOGICAL PEST CONTROL FUNDS (Postponed Indefinitely)	428, 471.
H	919	BRADY BILL IMPLEMENTATION (Postponed Indefinitely)	479.
H	1109	BUDGET CHANGES (Postponed Indefinitely)	24, 487.
H	62	CANCER CONTROL FUNDS (Postponed Indefinitely)	426, 465.
H	219	CANCER REGISTRY FUNDS (Postponed Indefinitely)	427, 466.
H	393	CARING PROGRAM FUNDS (Postponed Indefinitely)	421, 472.

APPROPRIATIONS, PUBLIC-Contd.

H	132	CEMETERY COMMISSION LEGISLATIVE RESEARCH COMMISSION STUDY (Postponed Indefinitely)	280.
H	1431	CENTER FOR APPLIED TEXTILE TECHNOLOGY/ CAPITAL FUNDS (Postponed Indefinitely)	149, 495.
H	294	CHILD ABUSE INVESTIGATION TRAINING FUNDS (Postponed Indefinitely)	423, 469.
H	258	CHILD CARE ELIGIBILITY INCREASE/FUNDS (Postponed Indefinitely)	420, 467.
H	1439	CHILD CARE SUBSIDY FUNDS (Postponed Indefinitely)	151, 495.
H	292	CHILD CENTER FUNDS (Postponed Indefinitely)	420, 468.
H	796	CHILDREN'S VACCINE FUNDS (Postponed Indefinitely)	430, 478.
H	1333	CIVIL PROCEDURE STUDY FUNDS (Postponed Indefinitely)	101, 492.
H	283	COALITION 2001 '95 FUNDS (Postponed Indefinitely)	420, 468.
H	725	COCHLEAR IMPLANT FUNDS (Postponed Indefinitely)	430, 477.
H	764	COMMUNITY COLLEGE CAPITAL FUNDS (Postponed Indefinitely)	415, 477.
H	1303	COMMUNITY COLLEGE EDUCATION IMPROVEMENT ACT (Postponed Indefinitely)	90, 491.
H	315	COMMUNITY COLLEGE FUND ALLOCATION (Postponed Indefinitely)	469.
H	1365	COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM STUDY (Rules, Calendar & Operations of the House)	114.
H	256	COMMUNITY-BASED PARTNERSHIP/GRANT PROGRAM (Postponed Indefinitely)	419, 467.
H	1239	CONSOLIDATION INCENTIVE FUNDING (Postponed Indefinitely)	62, 489.
H	196	CONSUMER STUDY COMMISSION (Postponed Indefinitely)	280.
H	56	CONTINUE SHELLFISH ENHANCEMENT FUNDS (Postponed Indefinitely)	414, 464.
H	430	COSTS/VICTIMS ASSISTANTS (Postponed Indefinitely)	473.

APPROPRIATIONS, PUBLIC-Contd.

H 215	CREATE STATE PERSONNEL STUDY (Postponed Indefinitely)	280.
H 1438	CREDIT TO REFUND FEDERAL RETIREES (Postponed Indefinitely)	150, 507.
H 1361	CRIMINAL PROCEDURE STUDY FUNDS (Rules, Calendar & Operations of the House)	107.
H 260	DAY CARE "NOTCH" INCREASE/FUNDS (Postponed Indefinitely)	420, 467.
H 1000	DEAF SCHOOL CHANGES/FUNDS (Postponed Indefinitely)	482.
H 1008	DEPARTMENT OF COMMUNITY COLLEGES/ LITERACY FUNDS (Postponed Indefinitely)	417, 482.
H 395	DEPARTMENT OF LABOR CRITICAL NEEDS FUNDS (Postponed Indefinitely)	428, 472.
H 1005	DISPUTE SETTLEMENT FUNDS (Postponed Indefinitely)	425, 482.
H 1003	DOMESTIC VIOLENCE FUNDS (Postponed Indefinitely)	419, 482.
H 580	DRUG TASK FORCE FUNDS (Postponed Indefinitely)	424, 475.
H 436	DRUG TREATMENT COURT ACT (Postponed Indefinitely)	500.
H 1235	DRY HYDRANT FUNDS (Postponed Indefinitely)	59, 489.
H 1022	EARLY CHILDHOOD DEVELOPMENT FUNDS (Postponed Indefinitely)	422, 483.
H 1176	EASTERN NORTH CAROLINA LIVESTOCK ARENA FUNDS (Postponed Indefinitely)	40, 488.
H 363	EASTERN SCHOOL FOR DEAF CENTER FUNDS (Postponed Indefinitely)	421, 471.
H 1369	ECONOMIC DEVELOPMENT FUNDS (Postponed Indefinitely)	115, 493.
H 299	ELDERLY AND DISABLED MEDICAID FUNDS (Postponed Indefinitely)	421, 469.
H 1406	EQUALIZE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES LAW ENFORCEMENT OFFICERS PAY (Postponed Indefinitely)	137, 494.
H 1034	EXCEPTIONAL CHILDREN FUNDS (Postponed Indefinitely)	417, 484.

APPROPRIATIONS, PUBLIC-Contd.

H 1047	EXPAND INDUSTRIAL COMMISSION STAFF/FUNDS (Postponed Indefinitely)	431, 486.
H 1092	EXPAND INTERSTATE AUDIT DIVISION (Postponed Indefinitely)	20, 88, 487.
H 335	FAYETTEVILLE STATE UNIVERSITY FINE ARTS BUILDING FUNDS (Postponed Indefinitely)	415, 470.
H 1238	FAYETTEVILLE STATE UNIVERSITY FINE ARTS BUILDING FUNDS (Postponed Indefinitely)	60, 489.
H 334	FAYETTEVILLE STATE UNIVERSITY FUNDS- STUDENT CENTER (Postponed Indefinitely)	414, 470.
H 1446	FAYETTEVILLE STATE UNIVERSITY SELF-LIQUIDATING FUNDS (Postponed Indefinitely)	152, 495.
H 854	FISCAL TRENDS PERMANENT STUDY (Postponed Indefinitely)	285.
H 1076	FISHERY RESOURCE GRANT PROGRAM (Postponed Indefinitely)	14, 29, 42, 131, 251, 431, 486.
H 1275	FOOD DISTRIBUTION BUILDING FUNDS (Postponed Indefinitely)	78, 491.
H 924	FOOD SANITATION FUNDS (Postponed Indefinitely)	430, 479.
H 165	FOREST FIRE AIRCRAFT FUNDS (Postponed Indefinitely)	466.
H 293	FOSTER CARE WORKER FUNDS (Postponed Indefinitely)	420, 469.
H 1043	FULL EMPLOYMENT PROGRAM/FUNDS (Postponed Indefinitely)	485.
H 57	FUND MARINE FISHERIES PATROL (Postponed Indefinitely)	426, 464.
H 54	FUND OFFICIAL ACTIVITIES OF MARINE FISHERIES COMMISSION (Postponed Indefinitely)	426, 464.
H 153	FUND SHELLFISH LEASE PROGRAM (Postponed Indefinitely)	426, 466.
H 53	FUND SHELLFISH MAPPING (Postponed Indefinitely)	426, 464.

APPROPRIATIONS, PUBLIC-Contd.

H 1151	FUND SHELLFISH SANITATION (Postponed Indefinitely)	35, 488.
H 88	FUNDS FOR DIVISION OF EMERGENCY MANAGEMENT (Postponed Indefinitely) . .	423, 465.
H 1427	FUNDS FOR RESERVE FOR FARM LOANS (Postponed Indefinitely)	149, 494.
H 418	FUNDS/AID TO PUBLIC LIBRARIES (Postponed Indefinitely)	419, 472.
H 323	FUNDS/EXPAND MYCOPLASMA AND BACTERIOLOGY (Postponed Indefinitely)	427, 470.
H 417	FUNDS/GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES/AREA ADVOCACY CENTERS (Postponed Indefinitely)	419, 472.
H 321	FUNDS/INTERNATIONAL AGRICULTURAL MARKETING (Postponed Indefinitely) . . .	427, 469.
H 324	FUNDS/MEAT & POULTRY INSPECTION (Postponed Indefinitely)	427, 470.
H 58	FUNDS/PARKS ENVIRONMENTAL EDUCATION (Postponed Indefinitely)	426, 465.
H 414	FUNDS/PROTECT BEE AND HONEY INDUSTRY (Postponed Indefinitely)	428, 472.
H 59	FUNDS/STATE PARK STAFF (Postponed Indefinitely)	426, 465.
H 1344	FUTURE FARMERS OF AMERICA CAPITAL IMPROVEMENT FUNDS (Postponed Indefinitely)	103, 492.
H 1257	GOODWILL INDUSTRIES FUNDS (Postponed Indefinitely)	69, 490.
H 391	GOVERNOR'S '95 CAPITAL APPROPRIATIONS (Postponed Indefinitely)	472.
H 392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H 322	GRAIN GRADING TRAINING FUNDS (Postponed Indefinitely)	427, 469.
H 415	GRASSROOTS SCIENCE MUSEUM FUNDS (Postponed Indefinitely)	428, 472.
H 551	GRASSROOTS SCIENCE MUSEUM FUNDS (Postponed Indefinitely)	429, 475.
H 979	GUARDIANSHIP PILOT FUNDS (Postponed Indefinitely)	422, 481.

APPROPRIATIONS, PUBLIC-Contd.

H	985	HEAD START FUNDS (Postponed Indefinitely)	422, 481.
H	287	HEALTH REFORM FUNDS/HEALTH PLANNING COMMISSION (Postponed Indefinitely)	468.
H	506	HEALTH SPECIALIST FUNDS/ENVIRONMENT, HEALTH, AND NATURAL RESOURCES (Postponed Indefinitely)	429, 474.
H	460	HEART DISEASE/STROKE TASK FORCE/FUNDS (Postponed Indefinitely)	428, 473.
H	795	HEPATITIS B FUNDS (Postponed Indefinitely)	430, 478.
H	540	HIGHWAY BOND ACT OF 1996 (Ratified Ch.0590)	278, 319, 329, 366, 396.
H	1430	HIGHWAY TRUST FUND FUNDS (Postponed Indefinitely)	149, 495.
H	992	HOME OWNERSHIP FUNDS (Postponed Indefinitely)	481.
H	983	HOME PROGRAM MATCH FUNDS (Postponed Indefinitely)	481.
H	296	HOME VISIT FUNDS (Postponed Indefinitely)	427, 469.
H	699	HOSPICE STUDIES FUNDS (Postponed Indefinitely)	421, 476.
H	101	INCREASE IN-HOME FUNDS (Postponed Indefinitely)	420, 465.
H	1127	INCREASE PAY OF PROPERTY TAX COMMISSION (Postponed Indefinitely)	30, 128, 488.
H	1329	INDEPENDENT LIVING FUNDS (Postponed Indefinitely)	95, 492.
H	1046	INDUSTRIAL COMMISSION FUNDS (Postponed Indefinitely)	431, 486.
H	1305	INSTITUTE OF GOVERNMENT FUNDS (Postponed Indefinitely)	90, 491.
H	719	INTERACTIVE VISUAL TECHNOLOGIES FUNDS (Postponed Indefinitely)	430, 476.
H	355	IRRIGATION ADVISORY SERVICE FUNDS (Postponed Indefinitely)	428, 470.
H	266	JUDICIAL CENTER FUNDS (Postponed Indefinitely)	423, 468.
H	367	LAW OFFICERS HALL OF HONOR FUNDS (Postponed Indefinitely)	471.

APPROPRIATIONS, PUBLIC-Contd.

H 1434	LEGISLATIVE RESEARCH COMMISSION/ CHANGE WELFARE TO CHARITY/FUNDS (Rules, Calendar & Operations of the House)	150.
H 991	LIMITED ENGLISH PROFICIENCY STUDENT PROGRAM FUNDS (Postponed Indefinitely)	416, 481.
H 252	LOW-WEALTH SCHOOL SUPPLEMENTAL FUNDS (Postponed Indefinitely)	414, 467.
H 1031	MACHINING TECHNOLOGY PARTNERSHIP FUNDS (Postponed Indefinitely)	417, 484.
H 1035	MARINE SCIENCES FUNDS (Postponed Indefinitely)	418, 484.
H 1356	MINING/SEDIMENTATION TECHNICAL ASSISTANCE FUNDS (Postponed Indefinitely)	106, 493.
H 217	MINORITY MALES STUDY CONTINUATION (Postponed Indefinitely)	280.
H 896	MOBILE PRESCHOOL PROGRAM FUNDS (Postponed Indefinitely)	416, 479.
H 641	MODEL CLINICAL TEACHING NETWORK FUNDS (Postponed Indefinitely)	415, 476.
H 1041	MODEL PLANS FOR PUBLIC SCHOOLS (Postponed Indefinitely)	418, 485.
H 998	MODEL TEACHER EDUCATION CONSORTIUM FUNDS (Postponed Indefinitely)	416, 481.
H 1108	MODIFY BUDGET (Conference Committee)	24, 99, 107, 110, 246, 252, 277.
H 548	MOSQUITO CONTROL FUNDS (Postponed Indefinitely)	429, 475.
H 440	MURDOCH CENTER CAPITAL FUNDS (Postponed Indefinitely)	421, 473.
H 1037	MUSEUM MAGIC FUNDS (Postponed Indefinitely)	420, 485.
H 1398	MUSEUM OF LIFE AND SCIENCE FUNDS (Postponed Indefinitely)	135, 494.
H 497	NATIONAL GUARD FUNDS (Postponed Indefinitely)	424, 474.
H 14	NO FUNDS/NORTH CAROLINA RESOURCE CENTER (Postponed Indefinitely)	423, 464.
H 1443	NO PRISON WEIGHTS (Postponed Indefinitely)	151, 495.

APPROPRIATIONS, PUBLIC-Contd.

H 1012	NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AGRICULTURAL RESEARCH FUNDS (Postponed Indefinitely)	417, 483.
H 1409	NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY AGRICULTURAL RESEARCH FUNDS (Postponed Indefinitely)	137, 494.
H 1407	NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY CLASSROOM BUILDING FUNDS (Postponed Indefinitely)	137, 494.
H 1044	NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY CLASSROOM FUNDS (Postponed Indefinitely)	418, 486.
H 999	NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY LAND ACQUISITION FUNDS (Postponed Indefinitely)	482.
H 1028	NORTH CAROLINA BIOTECHNOLOGY CENTER FUNDS (Postponed Indefinitely)	431, 484.
H 1374	NORTH CAROLINA BIOTECHNOLOGY CENTER FUNDS (Postponed Indefinitely)	123, 493.
H 354	NORTH CAROLINA HOUSING TRUST FUND/FUNDS (Postponed Indefinitely)	470.
H 1152	NORTH CAROLINA MARITIME MUSEUM FUNDS (Postponed Indefinitely)	35, 488.
H 794	NORTH CAROLINA STATE UNIVERSITY FORESTRY GENETICIST FUNDS (Postponed Indefinitely)	415, 478.
H 1011	NORTH CAROLINA STATE UNIVERSITY TURFGRASS RESEARCH FUNDS (Postponed Indefinitely)	417, 482.
H 1107	OPERATION PRIDE (Postponed Indefinitely)	24, 365.
H 902	PARENTS AS TEACHERS PROGRAM FUNDS (Postponed Indefinitely)	416, 479.
H 474	PESTICIDE DISPOSAL PROGRAM FUNDS (Postponed Indefinitely)	429, 473.
H 1236	PESTICIDE ENFORCEMENT FUNDS (Postponed Indefinitely)	59, 489.

APPROPRIATIONS, PUBLIC-Contd.

H	271	PILOT MEDIATION/EQUITABLE DISTRIBUTION (Postponed Indefinitely)	423, 468.
H	1096	PREMIUMS TAX COLLECTION (Ratified Ch.0747)	21, 68, 83, 97, 552, 559, 563.
H	1095	PREMIUMS TAX COLLECTION FUNDS (Postponed Indefinitely)	21, 68, 487.
H	612	PROJECT BLUE SKY FUNDS (Postponed Indefinitely)	424, 476.
S	855	PUBLIC HOSPITALS MANAGED CARE/REGISTRY (Ratified Ch.0713)	274, 348, 356, 394, 395, 398, 462, 514, 524, 525, 526, 555.
H	500	PUBLIC LIBRARY FUNDS (Postponed Indefinitely)	419, 474.
H	982	PUBLIC SCHOOL BUILDING FUNDS (Postponed Indefinitely)	416, 481.
H	1027	PUBLIC SCHOOL TEXTBOOKS (Postponed Indefinitely)	417, 484.
H	302	PURCHASING STUDY (Postponed Indefinitely)	281.
H	1360	RECYCLING BUSINESS ASSISTANCE CENTER FUNDS (Postponed Indefinitely)	106, 493.
H	1216	REFUND ILLEGAL TAXES (Finance)	50.
H	1111	REGIONAL MEDICAL EXAMINER FUNDS (Postponed Indefinitely)	25, 487.
H	1323	REIMBURSE INMATE COSTS (Postponed Indefinitely)	94, 492.
H	1079	REPEAL STATE FOOD TAX/FREEZE HIRING (Senate)	15, 18, 40, 51.
H	191	REQUIRE FISCAL NOTE/SUBJECT MATTER NOTICE (Postponed Indefinitely)	466.
H	579	RURAL ECONOMIC DEVELOPMENT FUNDS (Postponed Indefinitely)	475.
H	285	SCHOOL-BASED HEALTH FUNDS (Postponed Indefinitely)	427, 468.
H	78	SCHOOL BUILDING STUDY COMMISSION (Postponed Indefinitely)	280.
H	1026	SCHOOL CENTRAL OFFICE PERSONNEL SALARIES (Postponed Indefinitely)	417, 484.
H	946	SCHOOL CENTRAL OFFICE SALARIES (Postponed Indefinitely)	416, 480.

APPROPRIATIONS, PUBLIC-Contd.

H 947	SCHOOL CENTRAL OFFICE SALARIES (Postponed Indefinitely)	416, 480.
H 1105	SCHOOL FACILITIES GUIDELINES (Postponed Indefinitely)	23, 148, 487.
H 110	SCHOOL LIABILITY INSURANCE FUNDS (Postponed Indefinitely)	414, 465.
H 1040	SCHOOL NURSES/FUNDS (Postponed Indefinitely)	418, 485.
H 1023	SENIOR CENTERS FUNDS (Postponed Indefinitely)	422, 483.
H 901	SENIOR CENTERS/FUNDS (Postponed Indefinitely)	422, 479.
H 824	SOIL SURVEY POSITIONS FUNDS (Postponed Indefinitely)	430, 478.
H 547	SOUTHEASTERN FARMERS' MARKET FUNDS (Postponed Indefinitely)	429, 475.
H 184	STATE EMPLOYEE LIABILITY TRUST FUND (Postponed Indefinitely)	418, 466.
H 1054	STATE FIRE AND RESCUE COMMISSION (Postponed Indefinitely)	486.
H 60	STATE PARKS STUDY COMMISSION (Postponed Indefinitely)	279.
H 925	STATE PERSONNEL ACT EMPLOYEE PAY RAISE (Postponed Indefinitely)	479.
H 286	STUDENTS AGAINST DRIVING DRUNK COORDINATOR FUNDS (Postponed Indefinitely)	419, 468.
H 1051	STUDY ABILITY GROUPING/TRACKING (Postponed Indefinitely)	342.
H 297	SUBSTANCE ABUSE/JUVENILE FUNDS (Postponed Indefinitely)	421, 469.
H 234	SUPPLEMENT/YOUTH SERVICE TEACHERS (Postponed Indefinitely)	420, 467.
H 410	TEACHERS-STAFF DEVELOPMENT DAYS (Postponed Indefinitely)	415, 472.
H 1015	TEXTBOOK DEVELOPMENT FUNDS (Postponed Indefinitely)	417, 483.
H 1024	"THOMAS S." CLASS MEMBERS FUNDS (Postponed Indefinitely)	422, 483.
H 187	TORT LIABILITY/IMMUNITY STUDY (Postponed Indefinitely)	280.

APPROPRIATIONS, PUBLIC-Contd.

H	1392	TOUCHING FAMILIES' LIVES FUNDS (Postponed Indefinitely)	134, 494.
H	100	TRANSPORTATION FUNDS (Appropriations)	431.
H	544	TREATMENT AND EDUCATION OF AUTISTIC AND OTHER COMMUNICATION- HANDICAPPED CHILDREN AND ADULTS PROGRAM FUNDS (Postponed Indefinitely)	415, 474.
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- S 838 SOLICITATIONS ACT/EXEMPTION
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- H 1190 AMEND INTERSTATE BANKING ACT
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- S 470 GOOD FUNDS SETTLEMENT ACT
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- BILLS INTRODUCED - 1141, 1142, 1182, 1183, 1218, 1235, 1266,

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BILLS INTRODUCED - 1079, 1092, 1093, 1094, 1095, 1096, 1099,
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- H 105 INCREASE FIRE/RESCUE SQUAD BENEFITS
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H 1187	SNOW DAYS OFFSET LOCAL SCHOOLS (Ratified Ch.0723)	45, 189, 208, 210, 221, 537, 546, 560.
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OF 1987, NORTH CAROLINA (G.S. 159G)**

H 1341	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Calendar Pursuant Rule 36(a)) (S 1328)	103, 345, 549.
S 1328	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Ratified Ch.0743) (H 1341)	183, 234, 549, 562.
S 878	JOINT AIRPORTS/WATER AND WASTEWATER (Ratified Ch.0644)	381, 454, 511.

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S 1220	LOCAL SCHOOL PAY DATES REPEALED (Education)	217.
H 1411	OUTLAW DOG FIGHTS (Senate)	138, 397, 409.

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- H 1171 CONFIRMATION/APPOINTMENTS
(Senate) 39, 132, 173, 188.
- H 934 ENVIRONMENT CLARIFYING/CONFORMING/
TECHNICAL CORRECTIONS
(Ratified Ch.0728) 535, 547, 560.
- H 1074 PROHIBIT SHELLFISH LEASES IN CORE BANKS
(Ratified Ch.0547) 14, 28, 51, 86.

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- APPROVAL OF VOTE CHANGE ON H.B. 1100 172.
- BILLS INTRODUCED - 1079, 1090, 1114, 1155, 1165, 1173, *1191,
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*1201, *1202, 1203, 1204, 1212, 1218, 1259, 1266, 1267, 1268,
1287, 1294, 1349, 1404, *1411, 1426, 1428, 1459.

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- H 1383 CERRO GORDO PRIVATE SALE
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- S 1374 CERRO GORDO PRIVATE SALE
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- H 1397 COLUMBUS COUNTY LEASE TERM
(Ratified Ch.0709) 135, 249, 357, 377, 555.
- S 1399 COLUMBUS COUNTY LEASE TERM
(Finance) 220, 271.
- H 169 COLUMBUS TRUST EXEMPTION
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- H 1375 WHITEVILLE SCHOOL ELECTIONS
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- S 1375 WHITEVILLE SCHOOL ELECTIONS
(Ratified Ch.0661) (H 1375) . 279, 355, 407, 451, 522.

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- H 1093 1996 TAX REFORM ACT
(Senate) 20, 359, 380, 453.
- H 1170 AGENCY PRINTING
(Calendar Pursuant Rule 36(a)) (S 1182) 39, 164.
- S 1182 AGENCY PRINTING
(Rules, Calendar & Operations of the House)
(H 1170) 353.
- S 503 ALLOW SEASONAL, RESTRICTED COMMERCIAL
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H	1190	AMEND INTERSTATE BANKING ACT (Ratified Ch.0557)	45, 131, 162, 191.
S	843	ANTITRUST REVISIONS (Ratified Ch.0550)	29, 116, 146.
H	1242	CLARIFY FREE ITEM SALES TAX (Senate)	62, 235, 301, 332.
H	361	COMMUNITY DEVELOPMENT BLOCK GRANTS LOAN GUARANTEES (Ratified Ch. 0575)	311, 319, 362.
H	1065	CORPORATE WELFARE REFORM (Reported Unfavorable)	308, 315.
S	1294	DIVISION OF MOTOR VEHICLES TRUCKING/ TECHNICAL CHANGES (Ratified Ch.0756)	252, 300, 347, 557, 564.
H	1062	ENTERPRISE TAX ZONE DEVELOPMENT ACT (Postponed Indefinitely)	87, 505.
H	531	EXEMPT CERTAIN SECURITIES (Postponed Indefinitely)	503.
H	1437	FINANCE CORRECTION ENTERPRISES PROJECTS (Postponed Indefinitely)	150, 507.
H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	1433	INVESTMENT TAX CREDIT (Finance)	150.
H	1108	MODIFY BUDGET (Conference Committee)	24, 99, 107, 110, 246, 252, 277.
H	847	MONUMENT CONTRACTORS ACT (Postponed Indefinitely)	285.
S	1273	NO DIVISION OF MOTOR VEHICLES COMMISSIONER POSITION (Calendar Pursuant Rule 36(a))	536, 543.
S	981	ONE TIME TAX REBATE (Returned to Senate for Concurrence) ..	354, 401, 458.
H	1343	QUALITY JOBS AND BUSINESS EXPANSION (Finance)	103, 164.
S	1178	REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0646)	183, 344, 383, 456, 511.
H	475	SMALL BUSINESS CAPITAL AND GROWTH ACT (Postponed Indefinitely)	503.
S	1198	TAX AT RACK FINE TUNING (Ratified Ch.0647)	217, 358, 384, 457, 511.

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- H 429 TELEPHONE CONSUMER PROTECTION ACT
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- S 723 TELEPHONE CONSUMER PROTECTION ACT
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- H 392 GOVERNOR'S '95 OPERATING APPROPRIATIONS
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- H 838 LOTTERY FOR SCHOOL BUILDINGS
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- H 382 MEDIA REPORTING OF ENDORSEMENTS
(Postponed Indefinitely) 500.
- H 1059 NO SALES TAX ON PAY PHONES
(Postponed Indefinitely) 505.
- H 429 TELEPHONE CONSUMER PROTECTION ACT
(Postponed Indefinitely) 341.
- S 723 TELEPHONE CONSUMER PROTECTION ACT
(Calendar Pursuant Rule 36(a)) 358.

COMMUNITY COLLEGES (G.S. 115D) -**also see HIGHER EDUCATION**

- H 1180 ADD TRUSTEES/COLLEGE OF THE ALBEMARLE
(Senate) 43, 119, 165, 197.
- H 1303 COMMUNITY COLLEGE EDUCATION
IMPROVEMENT ACT
(Postponed Indefinitely) 90, 491.
- H 42 EDUCATION IMPROVEMENT ACT
(Postponed Indefinitely) 413, 464.
- H 392 GOVERNOR'S '95 OPERATING APPROPRIATIONS
(Postponed Indefinitely) 472.
- H 1247 IMPLEMENT HIGHER EDUCATION CREDIT
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- S 1161 IMPLEMENT HIGHER EDUCATION
CREDIT TRANSFER PLAN
(Ratified Ch.0625) (H 1247) 142, 299, 403, 436.

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- S 1139 ABC'S PLAN 514, 524, 526.
- H 955 CHARTER SCHOOL EDUCATION
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- S 855 PUBLIC HOSPITALS MANAGED
CARE/REGISTRY 514, 524, 525.

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- S 1173 SNOW DAYS OFFSET FOR
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H 1256 SPRUCE PINE STAGGERED TERMS 390, 437.

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- H 237 ADOPTION RECORDS ACCESS
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H 1316 CHILD FATALITY TASK FORCE CONFIDENTIAL
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S 1014 HEALTH CARE EMPLOYEE RECORD CHECK
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H 1232 MEDICAL EVALUATION REPORTS TO DIVISION
OF MOTOR VEHICLES (Transportation) 58.
H 741 MEDICAL RECORD FEES
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H 1166 NONPROFITS DISCLOSURE/ACCOUNTABILITY
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H 1271 PUBLIC HEALTH AUTHORITY ACT
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462, 514, 524, 525, 526, 555.
H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER
NOTICE (Postponed Indefinitely) 466.
H 184 STATE EMPLOYEE LIABILITY TRUST FUND
(Postponed Indefinitely) 418, 466.

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- H 1077 CHANGES IN FISHERIES LAWS
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H 1171 CONFIRMATION/APPOINTMENTS
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H 157 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS
(Postponed Indefinitely)
(S 208) 499.
S 208 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS
(Returned to Senate for Concurrence)
(H 157) 86, 460.

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H 1049	ENVIRONMENTAL PROTECTION IMPROVEMENTS (Postponed Indefinitely)	346.
H 635	EXAMINE AND STREAMLINE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES (Postponed Indefinitely)	284.
H 1076	FISHERY RESOURCE GRANT PROGRAM (Postponed Indefinitely)	14, 29, 42, 131, 251, 431, 486.
H 392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H 573	LAW ENFORCEMENT TO CRIME CONTROL AND PUBLIC SAFETY (Postponed Indefinitely)	424, 475.
H 1074	PROHIBIT SHELLFISH LEASES IN CORE BANKS (Ratified Ch.0547)	14, 28, 51, 86.
H 40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.
H 1075	REMOVE ENDORSEMENT TO SELL SUNSET (Ratified Ch.0586)	14, 28, 51, 55, 65, 363.
H 1354	RESTRUCTURE FORESTRY COUNCIL (Postponed Indefinitely) (S 1286)	105, 346.
S 1286	RESTRUCTURE FORESTRY COUNCIL (Ratified Ch.0653) (H 1354)	183, 272, 403, 458, 521.
S 1178	REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0646)	183, 344, 383, 456, 511.

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S 1178	REVENUE LAWS TECHNICAL CHANGES (Ratified Ch.0646)	183, 344, 383, 456, 511.
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H 1282	BUDGET/CONSTITUTIONAL AMENDMENT (Judiciary I)	79.
H 326	RATIFY BALANCED BUDGET AMENDMENT (Postponed Indefinitely)	282.
H 776	SINGLE-MEMBER DISTRICTS (Postponed Indefinitely)	513.
H 20	SUPERIOR COURT ELECTION BY DIVISION (Postponed Indefinitely)	511.
H 64	VICTIMS RIGHTS AMENDMENT (Postponed Indefinitely)	512.

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(Postponed Indefinitely) 512.

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(S 1328) 103, 345, 549.

**S 1328 DEPARTMENT OF ENVIRONMENT, HEALTH, AND
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H 847 MONUMENT CONTRACTORS ACT

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H 1351 WELL AND PUMP CONTRACTORS

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CONVEYANCES (G.S. 39)**H 876 ABOLISH SEAL REQUIREMENT**

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(Postponed Indefinitely) 286.

S 294 REGULATION OF BARBERS

(Ratified Ch.0605) 75, 142, 155, 434.

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H 1093 1996 TAX REFORM ACT

(Senate) 20, 359, 380, 453.

H 1250 ABC'S PLAN

(Postponed Indefinitely) (S 1139) .. 64, 194, 418, 489.

S 1139 ABC'S PLAN(Ratified Ch.0716) (H 1250) 124, 194, 247, 349,
409, 410, 514, 524, 526, 533, 559.**S 709 ALLOW CONSOLIDATED HUMAN SERVICES**(Ratified Ch.0690) 66, 77, 205, 229,
274, 335, 379, 553.

COUNTIES (G.S. 153A)-Contd.

H	361	COMMUNITY DEVELOPMENT BLOCK GRANTS LOAN GUARANTEES (Ratified Ch. 0575)	311, 319, 362.
S	1189	COUNTY SCHOOL ACQUISITIONS (Local & Regional Government I)	319.
H	1062	ENTERPRISE TAX ZONE DEVELOPMENT ACT (Postponed Indefinitely)	87, 505.
S	1301	GENERAL STATUTES TECHNICAL BILL (Ratified Ch.0742)	353, 397, 523, 562.
H	937	JAIL SPACE STANDARDS EXEMPTION (Postponed Indefinitely)	501.
H	1231	LOCAL CONSENT FOR CONDEMNATION (Ratified Ch.0681)	58, 121, 156, 546.
H	1234	LOCAL SCHOOL ACQUISITION (Ratified Ch.0703)	59, 215, 258, 302, 333, 554.
H	1161	MODIFIED AT-LARGE ELECTION METHODS (Judiciary II)	37.
H	954	PARENTAL CHOICE IN EDUCATION (Postponed Indefinitely)	416, 480.
H	978	PRECINCT BOUNDARIES (Postponed Indefinitely)	480.
H	40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.
H	1343	QUALITY JOBS AND BUSINESS EXPANSION (Finance)	103, 164.
H	4	REPEAL PRISON CAP (Postponed Indefinitely)	463.
H	23	REPEAL SOUTH AFRICA RESTRICTIONS (Postponed Indefinitely) (H 66)	512.
H	66	REPEAL SOUTH AFRICA RESTRICTIONS (Postponed Indefinitely) (H 23)	512.
H	1103	SCHOOL SITES (Education)	23.
H	435	SHERIFFS' COMMISSION CHANGES (Postponed Indefinitely)	500.
H	859	SOLID WASTE AMENDMENTS (Ratified Ch.0594)	353, 368, 376, 396.
S	1275	TAX REDUCTION ACT OF 1996 (Returned to Senate for Concurrence)	170, 231, 245, 253, 265, 296.
H	104	TAXPAYER'S RIGHTS AMENDMENTS (Postponed Indefinitely)	512.

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H 1136 CRAVEN COUNTY UNCLAIMED BICYCLES

(Ratified Ch.0569) 32, 189, 207, 314.

H 1134 CRAVEN ROOM TAX CHANGES

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H 1270 CRAVEN/NORTHAMPTON ROAD HUNTING

(Ratified Ch.0628) 77, 248, 264, 412, 439, 509.

H 1254 HAVELOCK CHARTER AMENDMENT

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H 1376 LOCAL RACCOON TRAPPING

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H 1395 RIVER BEND ELECTIONS/BRUNSWICK INDEX

(Ratified Ch.0636) 135, 249, 265, 412, 439, 510.

H 1187 SNOW DAYS OFFSET LOCAL SCHOOLS(Ratified Ch.0723) 45, 189, 208,
210, 221, 537, 546, 560.**CRAWFORD, JAMES W., JR.****APPOINTED TO SELECT COMMITTEE ON****CONGRESSIONAL REDISTRICTING** 256.**BILLS INTRODUCED - 1087, 1089, 1090, 1091, 1093, 1100, 1104,****1139, 1141, 1142, *1143, *1144, *1145, 1165, 1166, 1167, 1182,****1183, 1217, 1266, 1267, 1268, *1275, *1276, 1295, 1329, 1336,****1381, 1382, 1402, 1403, 1406, 1426, 1442, 1443, *1454, 1457, 1459.****CONFEREES: H.B. 1108, H.B. 1256****CREECH, BILLY J.****APPROVAL OF VOTE CHANGE ON S.B. 905** 538.**BILLS INTRODUCED - 1079, 1108, 1109, 1110, 1229, 1291, 1313,****1314, *1362, *1363, *1364, *1367, *1422, 1428, 1433, 1459.****CONFEREES: H.B. 1108 (Co-Chair)****EXCUSED VOTE: S.B. 332** 73.**REQUESTS FISCAL NOTE ON H.B. 1174** 243.**REQUESTS FISCAL NOTE ON H.B. 1447** 243.

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, N.C. (G.S. 17C)

H 760	LAW ENFORCEMENT OFFICER DISCIPLINE (Postponed Indefinitely)	513.
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H 1301	ABDUCTION FROM LEGAL CUSTODIAN (Ratified Ch.0745)	89, 398, 408, 552, 556, 562.
H 1255	AMEND CRIMINAL PENALTIES (Postponed Indefinitely)	69, 501.
H 1204	ASSAULT LAW OFFICER/FIREFIGHTER (Senate)	48, 315, 393.
H 1243	ASSAULT/SERIOUS BODILY INJURY (Senate)	63, 177, 271, 392.
S 359	BLUE LIGHT BANDIT/FELONY (Ratified Ch.0712)	147, 400, 555.
H 919	BRADY BILL IMPLEMENTATION (Postponed Indefinitely)	479.
H 1458	BURN/BOMB RELIGIOUS BUILDING (Ratified Ch.0751)	550, 563.
H 189	CONCEALED WEAPON LICENSE (Postponed Indefinitely)	512.
H 157	CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Postponed Indefinitely) (S 208)	499.
S 208	CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Returned to Senate for Concurrence) (H 157)	86, 460.
H 96	DOMESTIC ABUSE/DISABLED OR ELDER ADULTS (Postponed Indefinitely)	499.
H 686	DOMESTIC VIOLENCE CHANGES (Ratified Ch.0591)	352, 367, 396.
H 735	DOMESTIC VIOLENCE/BAIL AND SENTENCE (Postponed Indefinitely)	500.
H 962	DRUG KINGPIN ACT (Postponed Indefinitely)	501.
H 207	EXPLOIT CHILD/SOLICIT BY COMPUTER (Ratified Ch.0632)	411, 440, 509.
S 1301	GENERAL STATUTES TECHNICAL BILL (Ratified Ch.0742)	353, 397, 523, 562.
H 392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H 801	HIV ASSAULT (Postponed Indefinitely)	500.

CRIMINAL LAW (G.S. 14)-Contd.

H	819	LARCENY OF PURCHASED GOODS (Reported Unfavorable)	387.
H	838	LOTTERY FOR SCHOOL BUILDINGS (Postponed Indefinitely)	501.
H	811	NEW CAPITAL CRIME/REPEAL LIFE REVIEW (Postponed Indefinitely)	500.
H	362	NO DEATH PENALTY/MENTALLY RETARDED (Postponed Indefinitely)	500.
H	147	OFF-DUTY OFFICER/CONCEALED WEAPON (Postponed Indefinitely)	512.
H	879	STATEWIDE GUN REGULATION (Ratified Ch.0727)	534, 547, 560.
H	429	TELEPHONE CONSUMER PROTECTION ACT (Postponed Indefinitely)	341.
S	723	TELEPHONE CONSUMER PROTECTION ACT (Calendar Pursuant Rule 36(a))	358.
H	1117	TRESPASS/THEFT OF PINE STRAW (Postponed Indefinitely) (S 1188)	26, 164, 501.
S	1188	TRESPASS/THEFT OF PINE STRAW (Rules, Calendar & Operations of the House) (H 1117)	536.
S	1409	TRESPASS/THEFT OF PINE STRAW (Ratified Ch.0601)	220, 340, 379, 397.

CRIMINAL PROCEDURE (G.S. 15)

- see **CRIMINAL PROCEDURE ACT**

CRIMINAL PROCEDURE ACT (G.S. 15A)

H	1346	ADMINISTRATIVE SEARCH WARRANTS/ WHEN SERVED (Calendar Pursuant Rule 36(a)) (S 1308)	103, 309, 345.
S	1308	ADMINISTRATIVE SEARCH WARRANTS/ WHEN SERVED (Judiciary I) (H 1346)	319.
H	919	BRADY BILL IMPLEMENTATION (Postponed Indefinitely)	479.
H	1325	CONDITIONS OF PROBATION (Postponed Indefinitely) (S 1297)	94, 502.
S	1297	CONDITIONS OF PROBATION (Rules, Calendar & Operations of the House) (H 1325)	352, 390, 537.
H	430	COSTS/VICTIMS ASSISTANTS (Postponed Indefinitely)	473.

CRIMINAL PROCEDURE ACT (G.S. 15A)-Contd.

H	157	CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Postponed Indefinitely) (S 208)	499.
S	208	CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS (Returned to Senate for Concurrence) (H 157)	86, 460.
H	686	DOMESTIC VIOLENCE CHANGES (Ratified Ch.0591)	352, 367, 396.
H	735	DOMESTIC VIOLENCE/BAIL AND SENTENCE (Postponed Indefinitely)	500.
H	1353	DOMESTIC VIOLENCE/PRETRIAL RELEASE (Postponed Indefinitely)	105, 502.
H	1287	DRIVING WHILE IMPAIRED/FELONY PRIOR RECORD LEVEL (Senate)	80, 250, 306.
H	962	DRUG KINGPIN ACT (Postponed Indefinitely)	501.
H	436	DRUG TREATMENT COURT ACT (Postponed Indefinitely)	500.
H	1320	ELIMINATE CERTIFIED NOTICE (Senate)	93, 276, 459.
S	33	FELONY PLEAS/ARRAIGNMENT CHANGES (Ratified Ch.0725)	84, 147, 236, 401, 560.
S	1301	GENERAL STATUTES TECHNICAL BILL (Ratified Ch.0742)	353, 397, 523, 562.
H	588	MEDICAL RELEASE/OLDER PRISONERS (Postponed Indefinitely)	424, 475.
H	156	MODIFY ACTIVE SENTENCE (Postponed Indefinitely) (S 209)	499.
S	209	MODIFY ACTIVE SENTENCE (Calendar Pursuant Rule 36(a)) (H 156)	87.
H	427	MODIFY CRITERIA FOR INTENSIVE MOTIVATIONAL PROGRAM OF ALTERNATIVE CORRECTIONAL TREATMENT (Postponed Indefinitely)	500.
H	811	NEW CAPITAL CRIME/REPEAL LIFE REVIEW (Postponed Indefinitely)	500.
H	362	NO DEATH PENALTY/MENTALLY RETARDED (Postponed Indefinitely)	500.
H	909	PROBATION BONDS (Postponed Indefinitely)	504.
H	40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.

CRIMINAL PROCEDURE ACT (G.S. 15A)-Contd.

H	4	REPEAL PRISON CAP (Postponed Indefinitely)	463.
H	267	RESTITUTION/CIVIL JUDGMENT (Postponed Indefinitely)	423, 468.
H	1284	RESTITUTION/CIVIL JUDGMENT (Postponed Indefinitely)	80, 502.
H	155	RESTITUTION/VICTIM IMPACT STATEMENTS (Postponed Indefinitely)	499.
H	1324	SEX OFFENDER POST-RELEASE SUPERVISION (Senate) (S 1296)	94, 300, 338.
S	1296	SEX OFFENDER POST-RELEASE SUPERVISION (Judiciary II) (H 1324)	352.
H	254	SPEEDY TRIAL LAW (Postponed Indefinitely)	500.
H	9	STREAMLINE CRIMINAL APPEALS (Ratified Ch.0719)	534, 547, 559.
H	32	TRANSFER CRIMINAL CALENDAR (Postponed Indefinitely)	498.
H	232	VICTIMS' RIGHTS CHANGES (Postponed Indefinitely)	423, 467.

CULP, ARLIE F.

BILLS INTRODUCED - 1079, 1128, 1139, 1148, 1218, 1220, 1221, 1227, *1235, 1251, 1259, 1294, 1305, 1312, 1337, 1338, 1339, 1346, 1349, 1350, *1351, *1352, 1354, *1356, *1360, 1374, *1386, 1402, 1426, 1448.	
EXCUSED ABSENCE	233.

CULPEPPER, WILLIAM T., III

BILLS INTRODUCED - 1165, 1166, 1167, *1205, *1206, *1210, *1211, 1217, 1218, 1235, *1244, *1260, *1261, *1262, *1263, 1264, 1265, *1280, 1284, 1320, 1321, 1329, 1353, *1357, 1402, 1406, 1442, 1443, 1457.	
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DISMISSED AS CONFEREE ON H.B. 1100	399.
EXCUSED ABSENCE	212.

CUMBERLAND COUNTY

H	1342	CUMBERLAND COMMISSIONERS VACANCY (Ratified Ch.0683)	103, 215, 263, 546.
H	1098	CUMBERLAND COUNTY ROOFING PERMITS (Ratified Ch.0732)	22, 213, 391, 405, 444, 561.

CUMBERLAND COUNTY-Contd.

- H 1347 CUMBERLAND COUNTY SCHOOL BUS USE
OKAYED (Senate) (S 1169) 104, 166, 197, 206.
- S 1169 CUMBERLAND COUNTY SCHOOL BUS USE
OKAYED (Ratified Ch.0562)
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- H 1355 FAYETTEVILLE ASSESSMENT
(Ratified Ch.0718) 105, 166, 259, 303,
305, 335, 379, 559.
- H 1330 FAYETTEVILLE BUSINESS FUNDS
(Postponed Indefinitely) 95, 492.
- H 1401 FAYETTEVILLE PLANNING CHANGE
(Ratified Ch.0684) 136, 167, 197, 206, 546.

CUMMINGS, FRANCES M.

- APPOINTED TO SELECT COMMITTEE ON
CONGRESSIONAL REDISTRICTING 256.
- BILLS INTRODUCED - *1071, *1072, 1074, 1075, 1076, 1077, 1078,
1079, *1112, *1123, 1165, 1178, 1181, 1245, 1246, 1247, 1248,
1249, 1250, 1294, 1296, 1312, 1349, 1404, 1406, 1433, 1436, 1438,
1439, 1440, 1451, 1452, 1453, 1459.
- CONFeree: H.B. 1108
- ESCORT FOR COLONEL WILLIAM S. MCARTHUR 262.

CUNNINGHAM, W. PETE

- APPROVAL OF VOTE CHANGE ON S.B. 1123 516.
- BILLS INTRODUCED - 1073, 1100, 1104, 1111, 1218, 1315, 1316,
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1459.
- EXCUSED ABSENCES 55, 113, 257.
- EXCUSED VOTE: S.B. 332 72.
- SECONDS ADJOURNMENT 211.

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- H 1129 CERTAIN COUNTIES REVENUE OPTIONS MENU
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- H 1132 CURRITUCK DELINQUENT PROPERTY TAXES
(Ratified Ch.0701) 31, 272, 328, 554.
- H 1080 CURRITUCK FOX HUNTING
(Ratified Ch.0627) . . . 18, 84, 227, 240, 412, 438, 509.
- H 675 CURRITUCK MEALS TAX
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-D-**DARE COUNTY****H 1210 DARE COUNTY ALCOHOLIC BEVERAGE CONTROL**

PROFITS (Ratified Ch.0679) . . 49, 120, 258, 295, 545.

H 563 DARE COUNTY LOCAL BILL

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H 1261 DARE LOCAL ACT

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H 1205 DARE SCHOOL PROPERTY ACQUISITIONS

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H 1211 KILL DEVIL HILLS CHARTER REWRITE

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S 1220 LOCAL SCHOOL PAY DATES REPEALED

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DAUGHTRY, N. LEOBILLS INTRODUCED - *1100, *1101, *1102, *1103, *1104, *1105,
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CONFERE: H.B. 1100 (Chair), H.B. 1108

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1235, 1312, *1326, *1327, 1328, 1404, 1426, 1451, 1452, 1453,
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BILLS INTRODUCED - 1079, 1165, *1204, 1291, 1294, *1370, 1404.

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S 125 ALLOW CANCELLATION BY EXHIBITION

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BILLS INTRODUCED - 1079, 1111, 1165, 1166, 1167, *1179, *1233,

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*1335, 1350, 1365, 1406, 1413, 1414, 1431, 1452.

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S 1139 ABC'S PLAN

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S 709 ALLOW CONSOLIDATED HUMAN SERVICES

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H 1237 AREA AUTHORITY ACCOUNTABILITY

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H 1025 BRAILLE LITERACY

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H 96 DOMESTIC ABUSE/DISABLED OR ELDER

ADULTS (Postponed Indefinitely) 499.

H 936 DOMICILIARY HOMES/EMPLOYEE TRAINING

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H 803 EAST CAROLINA UNIVERSITY MEDICAL

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H 1248 EDUCATION OF GIFTED STUDENTS

(Education) (S 1207) 64.

S 1207 EDUCATION OF GIFTED STUDENTS

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H	1402	EXPAND HOMESTEAD EXEMPTION (Postponed Indefinitely)	136, 507.
H	1404	EXPAND HOMESTEAD EXEMPTION (Senate)	136, 298, 392.
H	1218	FIRE PENSIONS INCREASED (Postponed Indefinitely)	56, 489.
H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
S	1014	HEALTH CARE EMPLOYEE RECORD CHECK (Ratified Ch.0606)	110, 171, 186, 434.
H	1232	MEDICAL EVALUATION REPORTS TO DIVISION OF MOTOR VEHICLES (Transportation)	58.
H	1160	NATIONAL VOTER REGISTRATION ACT CORRECTIONS (Judiciary II) (S 1123)	36.
S	1123	NATIONAL VOTER REGISTRATION ACT CORRECTIONS (Passed 2nd Reading) (H 1160)	153, 300, 515.
H	362	NO DEATH PENALTY/MENTALLY RETARDED (Postponed Indefinitely)	500.
H	953	STATE EMPLOYEE REDUCTIONS IN FORCE RIGHTS/OPTIONS (Postponed Indefinitely) ...	480.
H	1139	STATE PERSONNEL GRIEVANCE PROCEDURE (Senate)	32, 234, 270, 386, 388, 395.
H	35	TAX RELIEF/COMPETITIVENESS (Postponed Indefinitely)	502.

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H	1139	STATE PERSONNEL GRIEVANCE PROCEDURE (Senate)	32, 234, 270, 386, 388, 395.
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H	686	DOMESTIC VIOLENCE CHANGES (Ratified Ch.0591)	352, 367, 396.
H	40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.
H	250	PSYCHOLOGICAL COUNSELING OF PARENTS (Postponed Indefinitely)	499.

DOCKHAM, JERRY C.

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BILLS INTRODUCED - 1191, 1192, 1193, 1194, 1195, 1196, 1197,
1198, 1199, 1200, 1201, 1202, 1235, 1312, 1459.

EXCUSED ABSENCES 28, 145, 257.

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H 686 DOMESTIC VIOLENCE CHANGES

(Ratified Ch.0591) 352, 367, 396.

H 392 GOVERNOR'S '95 OPERATING APPROPRIATIONS

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H 681 DUPLIN LOCAL ACT

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H 1419 FAISON ALCOHOL BEVERAGE CONTROL AUDITS

(Ratified Ch.0624) 139, 249, 265, 436.

H 1411 OUTLAW DOG FIGHTS

(Senate) 138, 397, 409.

H 1319 ROSE HILL SUBDIVISION DEFINITION

(Local & Regional Government I) (S 1245) 93.

S 1245 ROSE HILL SUBDIVISION DEFINITION

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H 1187 SNOW DAYS OFFSET LOCAL SCHOOLS

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221, 537, 546, 560.

H 1348 WALLACE SATELLITE ANNEXATION

(Postponed Indefinitely) (S 1244) 104, 193, 507.

S 1244 WALLACE SATELLITE ANNEXATION

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405, 448, 553.

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S 1386 DURHAM ASSESSMENTS

(Ratified Ch.0755) 219, 317, 391, 557, 564.

S 507 DURHAM CITY ASSESSMENTS

(Ratified Ch.0687) 299, 369, 448, 519, 552.

H 654 DURHAM CONTRACT BIDDING

(Postponed Indefinitely) 496.

S 1385 DURHAM COUNCIL MEETINGS

(Ratified Ch.0642) 219, 317, 408, 452, 510.

DURHAM COUNTY-Contd.

S	1379	DURHAM COUNTY GUN PERMIT FEE (Local & Regional Government II)	219.
S	1378	DURHAM COUNTY SIDEWALKS (Ratified Ch.0641)	218, 317, 408, 452, 510.
S	684	DURHAM EMERGENCY REPAIRS (Ratified Ch.0689)	299, 327, 368, 451, 518, 553.
S	1380	DURHAM SIDEWALK FEES (Ratified Ch.0757)	219, 317, 387, 557, 564.
H	653	DURHAM/ACTIONS TAKEN FOR JUST CAUSE (Postponed Indefinitely)	496.
H	652	DURHAM/BOARD OF ADJUSTMENT VOTE (Postponed Indefinitely)	496.
H	1125	ONE-STOP VOTING (Ratified Ch.0717)	30, 120, 141, 535, 543, 559.
H	703	ROUGEMONT INCORPORATED (Postponed Indefinitely)	497.

DWI (Driving While Impaired)

H	1287	DRIVING WHILE IMPAIRED/FELONY PRIOR RECORD LEVEL (Senate)	80, 250, 306.
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-E-

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BILLS INTRODUCED - 1111, 1218, 1301, 1302, 1315, 1316, 1402, 1407, 1413, 1414, 1423, 1453, 1457, 1459.	
EXCUSED ABSENCES	145, 257.
SECONDS ADJOURNMENT	118.

EASTERLING, RUTH M.

BILLS INTRODUCED - 1073, *1111, 1155, 1278, 1287, 1294, 1301, *1315, *1316, *1365, 1402, 1407, 1408, 1409, 1413, 1414, 1423, 1457, 1459.	
SECONDS ADJOURNMENT	269.

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H	1373	1996 ECONOMIC INCENTIVES PACKAGE (Finance)	123.
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H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.

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246, 252, 277.

H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER

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H 475 SMALL BUSINESS CAPITAL AND GROWTH ACT

(Postponed Indefinitely) 503.

EDDINS, RICKY L.

APPROVAL OF VOTE CHANGE ON H.B. 1093 454.

BILLS INTRODUCED - 1079, 1165, 1214, 1218, 1235, 1294, 1301,
1347, 1349, 1406, 1426, 1428, 1448, 1452.

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- also see **COMMUNITY COLLEGES; HIGHER EDUCATION**

H 1100 1996 SCHOOL BONDS ACT

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253, 276, 398, 399, 439, 509.

H 1373 1996 ECONOMIC INCENTIVES PACKAGE

(Finance) 123.

H 1250 ABC'S PLAN

(Postponed Indefinitely) (S 1139) .. 64, 194, 418, 489.

S 1139 ABC'S PLAN

(Ratified Ch.0716) (H 1250) 124, 194, 247, 349,
409, 410, 514, 524, 526, 533, 559.

H 1169 ABOLISH BOARDS AND COMMISSIONS

(Senate) 39, 355, 394.

H 22 ABOLISH RUNOFF PRIMARY

(Postponed Indefinitely) 497.

H 180 ALTERNATIVE LEARNING PROGRAMS

(Postponed Indefinitely) 414, 466.

H 1025 BRAILLE LITERACY

(Postponed Indefinitely) 423, 484.

H 955 CHARTER SCHOOL EDUCATION OPPORTUNITY

ACT (Ratified Ch.0731) 534, 538, 540, 561.

H 781 CHILDREN FIRST/EDUCATIONAL OPPORTUNITY

(Postponed Indefinitely) 415, 478.

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H 1248	EDUCATION OF GIFTED STUDENTS (Education) (S 1207)	64.
S 1207	EDUCATION OF GIFTED STUDENTS (Education) (H 1248)	169.
H 392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H 224	LIMIT CLASS-SIZE WAIVERS (Postponed Indefinitely)	414, 466.
H 109	NO NORTH CAROLINA DRIVERS LICENSE FOR DROPOUTS (Postponed Indefinitely)	414, 465.
H 900	NO SCHOOL EMPLOYEE POLITICAL ACTION (Postponed Indefinitely)	504.
H 1246	NORTH CAROLINA STANDARDS BOARD FOR PUBLIC SCHOOL ADMINISTRATOR (Education) (S 1117)	63.
S 1117	NORTH CAROLINA STANDARDS BOARD FOR PUBLIC SCHOOL ADMINISTRATION (Education) (H 1246)	168.
H 1107	OPERATION PRIDE (Postponed Indefinitely)	24, 365.
H 954	PARENTAL CHOICE IN EDUCATION (Postponed Indefinitely)	416, 480.
H 1217	PHASE DOWN CORPORATE INCOME TAX (Finance)	56.
H 1249	PROFESSIONAL TEACHING STANDARDS COMMISSION (Rules, Calendar & Operations of the House)	64.
H 40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.
H 939	REAL EDUCATION PROGRAM (Postponed Indefinitely)	342.
H 1399	REDUCE CORPORATE TAX/SCHOOL NEEDS (Postponed Indefinitely)	135, 507.
H 23	REPEAL SOUTH AFRICA RESTRICTIONS (Postponed Indefinitely) (H 66)	512.
H 66	REPEAL SOUTH AFRICA RESTRICTIONS (Postponed Indefinitely) (H 23)	512.
H 1102	SCHOOL BUDGET ACT AMENDMENTS (Ratified Ch.0666)	22, 144, 184, 544.

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H	78	SCHOOL BUILDING STUDY COMMISSION (Postponed Indefinitely)	280.
H	1026	SCHOOL CENTRAL OFFICE PERSONNEL SALARIES (Postponed Indefinitely)	417, 484.
H	946	SCHOOL CENTRAL OFFICE SALARIES (Postponed Indefinitely)	416, 480.
H	947	SCHOOL CENTRAL OFFICE SALARIES (Postponed Indefinitely)	416, 480.
H	1105	SCHOOL FACILITIES GUIDELINES (Postponed Indefinitely)	23, 148, 487.
H	1104	SCHOOL FACILITIES TRUST FUND (Calendar Pursuant Rule 36(a))	23, 193, 233.
H	804	SCHOOL IMPROVEMENT INCENTIVES/FUNDS (Postponed Indefinitely)	416, 478.
H	35	TAX RELIEF/COMPETITIVENESS (Postponed Indefinitely)	502.
S	1275	TAX REDUCTION ACT OF 1996 (Returned to Senate for Concurrence)	170, 231, 245, 253, 265, 296.
H	410	TEACHERS-STAFF DEVELOPMENT DAYS (Postponed Indefinitely)	415, 472.

EDWARDS, ZENO L., JR.

BILLS INTRODUCED - 1074, 1075, 1076, 1077, 1078, 1079, *1149, *1150, 1151, *1184, *1239, *1270, *1271, 1291, 1294, 1296, 1301, 1302, *1312, *1366, *1376, 1406, *1410, 1428.	
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H	22	ABOLISH RUNOFF PRIMARY (Postponed Indefinitely)	497.
H	27	ABSENTEE VOTING REVISION (Postponed Indefinitely)	498.
H	21	APPELLATE JUDGE SELECTION (Postponed Indefinitely)	512.
H	840	CANDIDATES' QUALIFICATIONS (Postponed Indefinitely)	501.
H	75	CLEANUP CAMPAIGN SIGNS LAW (Postponed Indefinitely)	498.

ELECTIONS AND ELECTION LAWS (G.S. 163)-Contd.

H	1171	CONFIRMATION/APPOINTMENTS (Senate)	39, 132, 173, 188.
H	1203	COUNTYWIDE POLLWORKERS (Ratified Ch.0734) (S 1126)	48, 130, 201, 536, 548, 561.
S	1126	COUNTYWIDE POLLWORKERS (Judiciary II) (H 1203)	318.
H	28	DONOR'S OCCUPATION (Postponed Indefinitely)	498.
H	25	ELECTION LAWS REVIEW (Postponed Indefinitely)	497.
H	31	FAMILY EXEMPTION REMOVED (Postponed Indefinitely)	498.
H	1158	FRIDAY CANVASS (Ratified Ch.0553)	36, 119, 156, 179.
H	93	FUND-RAISING IN SESSION (Postponed Indefinitely)	499.
H	1157	GIFTS FROM FEDERAL POLITICAL ACTION COMMITTEES (Ratified Ch.0593)	36, 129, 209, 352, 367, 396.
H	30	LABOR DAY REPORT (Postponed Indefinitely)	498.
H	1159	LIFT EMPLOYMENT SECURITY COMMISSION VOTER SUNSET (Ratified Ch.0608) (S 1122)	36, 119, 161, 173, 434.
S	1122	LIFT EMPLOYMENT SECURITY COMMISSION VOTER SUNSET (Judiciary II) (H 1159)	311.
H	382	MEDIA REPORTING OF ENDORSEMENTS (Postponed Indefinitely)	500.
H	1160	NATIONAL VOTER REGISTRATION ACT CORRECTIONS (Judiciary II) (S 1123)	36.
S	1123	NATIONAL VOTER REGISTRATION ACT CORRECTIONS (Passed 2nd Reading) (H 1160)	153, 300, 515.
S	323	OBSERVERS AT POLLS (Ratified Ch.0688)	298, 382, 454, 553.
H	29	PARTY GIFTS EXEMPTION (Postponed Indefinitely)	498.
H	1173	POLLWORKER SPLIT SHIFTS (Ratified Ch.0554)	39, 119, 143, 179.
H	978	PRECINCT BOUNDARIES (Postponed Indefinitely)	480.

ELECTIONS AND ELECTION LAWS (G.S. 163)-Contd.

H	1126	RELIGIOUS HOLIDAY ABSENTEE VOTE (Judiciary II) (S 1116)	30.
S	1116	RELIGIOUS HOLIDAY ABSENTEE VOTE (Ratified Ch.0561) (H 1126)	153, 158, 244, 262.
H	26	SECOND PRIMARY GIFT (Postponed Indefinitely)	497.
H	20	SUPERIOR COURT ELECTION BY DIVISION (Postponed Indefinitely)	511.
H	104	TAXPAYER'S RIGHTS AMENDMENTS (Postponed Indefinitely)	512.
H	64	VICTIMS RIGHTS AMENDMENT (Postponed Indefinitely)	512.
H	102	VOTER REGISTRATION CLEANUP (Postponed Indefinitely)	499.
H	1162	VOTER'S TESTIMONY (Ratified Ch.0694)	37, 130, 209, 553.

ELLIS, J. SAM

	APPROVAL OF VOTE CHANGE ON H.B. 1169	394.
	APPROVAL OF VOTE CHANGE ON S.B. 534	517.
	BILLS INTRODUCED - *1082, *1083, *1084, 1174, 1218, 1296, 1430, 1452.	
	SECONDS ADJOURNMENT	66.

EMERGENCY MEDICAL SERVICES

H	1204	ASSAULT LAW OFFICER/FIREFIGHTER (Senate)	48, 315, 393.
H	1218	FIRE PENSIONS INCREASED (Postponed Indefinitely)	56, 489.
H	1108	MODIFY BUDGET (Conference Committee)	24, 99, 107, 110, 246, 252, 277.

EMINENT DOMAIN (G.S. 40A) - also see Individual County

H	1174	CONDEMNATION AWARDS/EVIDENCE (Failed 2nd Reading)	39, 164, 223, 243, 266, 268, 287.
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EMPLOYMENT SECURITY (G.S. 96)

H	1169	ABOLISH BOARDS AND COMMISSIONS (Senate)	39, 355, 394.
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EMPLOYMENT SECURITY (G.S. 96)-Contd.

- H 1171 CONFIRMATION/APPOINTMENTS
(Senate) 39, 132, 173, 188.
- H 392 GOVERNOR'S '95 OPERATING APPROPRIATIONS
(Postponed Indefinitely) 472.
- H 1159 LIFT EMPLOYMENT SECURITY COMMISSION
VOTER SUNSET (Ratified Ch.0608)
(S 1122) 36, 119, 161, 173, 434.
- S 1122 LIFT EMPLOYMENT SECURITY COMMISSION
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- H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER
NOTICE (Postponed Indefinitely) 466.
- S 1178 REVENUE LAWS TECHNICAL CHANGES
(Ratified Ch.0646) 183, 344, 383, 456, 511.

ENFORCEMENT OF JUDGMENTS (G.S. 1C)

- H 1284 RESTITUTION/CIVIL JUDGMENT
(Postponed Indefinitely) 80, 502.

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- S 1301 GENERAL STATUTES TECHNICAL BILL
(Ratified Ch.0742) 353, 397, 523, 562.
- H 1363 RESOLVE ADMINISTRATIVE
PROCEDURE ACT PROBLEMS
(Rules, Calendar & Operations of the House)
(S 1324) 107, 513, 542.
- S 1324 RESOLVE ADMINISTRATIVE
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- APPOINTED TO SELECT COMMITTEE ON
CONGRESSIONAL REDISTRICTING 256.
- BILLS INTRODUCED - 1079, 1108, 1109, 1110, 1229, 1287, 1291,
1294, 1296, 1312, *1318, *1367, 1428.
- CONFeree: H.B. 1108 (Co-Chair)
- EXCUSED ABSENCES 17, 127.

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- H 1250 ABC'S PLAN
(Postponed Indefinitely) (S 1139) .. 64, 194, 418, 489.

ETHICS-Contd.

S 1139	ABC'S PLAN (Ratified Ch.0716) (H 1250) . . .	124, 194, 247, 349, 409, 410, 514, 524, 526, 533, 559.
H 1106	CENSURING REPRESENTATIVE KEN MILLER (Adopted)	11.
H 486	CONFLICTS OF INTEREST (Postponed Indefinitely)	282.
H 966	ETHICAL INTERESTS (Postponed Indefinitely)	286.
H 939	REAL EDUCATION PROGRAM (Postponed Indefinitely)	342.

ETHICS COMMITTEE

H 1106	CENSURING REPRESENTATIVE KEN MILLER (Adopted)	11.
	REPORT OF	11.

EVIDENCE (G.S. 8) - also see CRIMINAL PROCEDURE ACT

H 430	COSTS/VICTIMS ASSISTANTS (Postponed Indefinitely)	473.
H 775	UPDATE MORTALITY TABLES (Postponed Indefinitely)	500.

EXECUTIVE ORGANIZATION ACT (G.S. 143B)

H 1373	1996 ECONOMIC INCENTIVES PACKAGE (Finance)	123.
H 1169	ABOLISH BOARDS AND COMMISSIONS (Senate)	39, 355, 394.
S 126	AGING COMMISSION SUBCOMMITTEE/ LONG-TERM CARE CHANGES (Ratified Ch.0583)	174, 223, 363.
S 709	ALLOW CONSOLIDATED HUMAN SERVICES (Ratified Ch.0690)	66, 77, 205, 229, 274, 335, 379, 553.
H 1338	AMEND ENVIRONMENTAL MANAGEMENT COMMISSION MEMBERSHIP (Senate) (S 1343)	102, 229, 386, 457.
S 1343	AMEND ENVIRONMENTAL MANAGEMENT COMMISSION MEMBERSHIP (Calendar Pursuant Rule 36(a)) (H 1338) . . .	353, 356.

EXECUTIVE ORGANIZATION ACT (G.S. 143B)-Contd.

H	1227	ANIMAL WASTE COMMISSION RECOMMENDATIONS (Postponed Indefinitely) (S 1217)	58, 180, 505.
S	1217	ANIMAL WASTE RECOMMENDATIONS (Ratified Ch.0626) (H 1227)	353, 359, 401, 436.
H	361	COMMUNITY DEVELOPMENT BLOCK GRANTS LOAN GUARANTEES (Ratified Ch. 0575)	311, 319, 362.
H	256	COMMUNITY-BASED PARTNERSHIP/GRANT PROGRAM (Postponed Indefinitely)	419, 467.
H	1171	CONFIRMATION/APPOINTMENTS (Senate)	39, 132, 173, 188.
H	1341	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Calendar Pursuant Rule 36(a)) (S 1328)	103, 345, 549.
S	1328	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Ratified Ch.0743) (H 1341)	183, 234, 549, 562.
H	1062	ENTERPRISE TAX ZONE DEVELOPMENT ACT (Postponed Indefinitely)	87, 505.
H	635	EXAMINE AND STREAMLINE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES (Postponed Indefinitely)	284.
H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	540	HIGHWAY BOND ACT OF 1996 (Ratified Ch.0590)	278, 319, 329, 366, 396.
H	573	LAW ENFORCEMENT TO CRIME CONTROL AND PUBLIC SAFETY (Postponed Indefinitely) .	424, 475.
S	1273	NO DIVISION OF MOTOR VEHICLES COMMISSIONER POSITION (Calendar Pursuant Rule 36(a))	536, 543.
H	40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.
H	880	QUALIFIED ENVIRONMENTAL PROFESSIONAL (Postponed Indefinitely)	346.
H	1343	QUALITY JOBS AND BUSINESS EXPANSION (Finance)	103, 164.
H	1354	RESTRUCTURE FORESTRY COUNCIL (Postponed Indefinitely) (S 1286)	105, 346.

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S	1286	RESTRUCTURE FORESTRY COUNCIL (Ratified Ch.0653) (H 1354) . . .	183, 272, 403, 458, 521.
H	475	SMALL BUSINESS CAPITAL AND GROWTH ACT (Postponed Indefinitely)	503.
H	1017	SMALL BUSINESS DEVELOPMENT ACT (Postponed Indefinitely)	505.
H	963	SMALL BUSINESS SURETY BONDS (Postponed Indefinitely)	504.
H	859	SOLID WASTE AMENDMENTS (Ratified Ch.0594)	353, 368, 376, 396.
S	728	SUBSTANCE ABUSE CHANGES (Postponed Indefinitely)	425, 496.
S	1275	TAX REDUCTION ACT OF 1996 (Returned to Senate for Concurrence)	170, 231, 245, 253, 265, 296.
H	1029	UNDERGROUND STORAGE TANK AMENDMENTS (Postponed Indefinitely)	484.
H	1351	WELL AND PUMP CONTRACTORS (Finance)	105, 132.
H	1251	WETLANDS MITIGATION AND FUNDS (Postponed Indefinitely)	64, 490.

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H	1373	1996 ECONOMIC INCENTIVES PACKAGE (Finance)	123.
H	542	AMEND CERTAIN LOAN PROCEDURES (Postponed Indefinitely)	282.
H	1317	AMEND ENVIRONMENTAL MANAGEMENT COMMISSION FEE AUTHORITY (Postponed Indefinitely)	92, 506.
H	1227	ANIMAL WASTE COMMISSION RECOMMENDATIONS (Postponed Indefinitely) (S 1217)	58, 180, 505.
S	1217	ANIMAL WASTE RECOMMENDATIONS (Ratified Ch.0626) (H 1227)	353, 359, 401, 436.

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S	555	BOARD OF DENTAL EXAMINERS FEES (Ratified Ch.0584)	88, 199, 208, 363.
H	919	BRADY BILL IMPLEMENTATION (Postponed Indefinitely)	479.
H	1129	CERTAIN COUNTIES REVENUE OPTIONS MENU (Postponed Indefinitely)	31, 463.
H	1280	CHILD SUPPORT LIEN (Ratified Ch.0674)	79, 99, 147, 184, 545.
H	1303	COMMUNITY COLLEGE EDUCATION IMPROVEMENT ACT (Postponed Indefinitely)	90, 491.
H	189	CONCEALED WEAPON LICENSE (Postponed Indefinitely)	512.
H	1174	CONDEMNATION AWARDS/EVIDENCE (Failed 2nd Reading)	39, 164, 223, 243, 266, 268, 287.
S	678	CONSUMER PROTECTION FUND (Finance)	217.
H	430	COSTS/VICTIMS ASSISTANTS (Postponed Indefinitely)	473.
H	1341	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Calendar Pursuant Rule 36(a)) (S 1328)	103, 345, 549.
S	1328	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Ratified Ch.0743) (H 1341)	183, 234, 549, 562.
S	1294	DIVISION OF MOTOR VEHICLES TRUCKING/ TECHNICAL CHANGES (Ratified Ch.0756)	252, 300, 347, 557, 564.
H	926	ESTHETICIAN REGISTRATION (Postponed Indefinitely)	286.
S	1260	FORECLOSURE FILING FEE (Judiciary II)	352.
H	1214	FORESTER REGISTRATION (Postponed Indefinitely)	50, 346.
S	1301	GENERAL STATUTES TECHNICAL BILL (Ratified Ch.0742)	353, 397, 523, 562.
H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	1114	INCREASE JAIL FEES (Finance)	25, 213.

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H	1130	LOCAL INSPECTION FEES/LIEN (Ratified Ch.0577)	31, 76, 96, 176, 196, 205, 362.
H	741	MEDICAL RECORD FEES (Postponed Indefinitely)	430, 477.
H	1150	MEDICAL RECORDS/FEES (Finance)	34.
H	365	NO ANNUAL CORPORATION REPORT/FEE (Postponed Indefinitely)	471.
H	1266	NO FEE FOR MAIL-IN REGISTRATION (Finance)	71, 231.
S	1094	NURSING HOME ADMINISTRATOR FEES (Ratified Ch.0645)	299, 382, 455, 511.
H	1149	PHYSICIAN REGISTRATION (Ratified Ch.0634)	34, 158, 177, 179, 209, 413, 441, 510.
H	1440	PUBLIC SCHOOL REGISTRATION PLATES (Postponed Indefinitely)	151, 508.
H	1343	QUALITY JOBS AND BUSINESS EXPANSION (Finance)	103, 164.
H	1345	REGULATORY FEE PROVISIONS (Ratified Ch.0670)	86, 204, 221, 241, 544.
H	1075	REMOVE ENDORSEMENT TO SELL SUNSET (Ratified Ch.0586)	14, 28, 51, 55, 65, 363.
H	1426	REPEAL SAFE DEPOSIT INVENTORY FEE (Finance)	148.
H	1363	RESOLVE ADMINISTRATIVE PROCEDURE ACT PROBLEMS (Rules, Calendar & Operations of the House) (S 1324)	107, 513, 542.
S	1324	RESOLVE ADMINISTRATIVE PROCEDURE ACT PROBLEMS (Rules, Calendar & Operations of the House) (H 1363)	536.
H	155	RESTITUTION/VICTIM IMPACT STATEMENTS (Postponed Indefinitely)	499.
H	158	SEED LAW AMENDMENTS (Postponed Indefinitely)	413.
H	475	SMALL BUSINESS CAPITAL AND GROWTH ACT (Postponed Indefinitely)	503.
H	963	SMALL BUSINESS SURETY BONDS (Postponed Indefinitely)	504.

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- H 859 SOLID WASTE AMENDMENTS
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- H 1188 SPECIAL VETERANS PLATES FEES
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- H 1351 WELL AND PUMP CONTRACTORS
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- BILLS INTRODUCED - 1073, 1140, 1177, 1218, 1222, 1313, 1314,
*1388, 1407, 1453, 1457, 1458.
- EXCUSED ABSENCES 43, 55, 119, 157, 191, 203.

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- H 1093 1996 TAX REFORM ACT
(Senate) 20, 359, 380, 453.
- H 1331 CHOCOLATE MILK/SOFT DRINK TAX
(Finance) (S 1108) 100.
- H 1242 CLARIFY FREE ITEM SALES TAX
(Senate) 62, 235, 301, 332.
- H 392 GOVERNOR'S '95 OPERATING APPROPRIATIONS
(Postponed Indefinitely) 472.
- H 1073 REDUCE FOOD TAX
(Finance) 14.
- H 397 REPEAL SALES TAX ON FOOD
(Postponed Indefinitely) 503.
- H 1079 REPEAL STATE FOOD TAX/FREEZE HIRING
(Senate) 15, 18, 40, 51.
- S 1108 SOFT DRINK TAX ON MILK DRINKS
(Finance) (H 1331) 217.

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- H 1214 FORESTER REGISTRATION
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- H 485 FORSYTH FIREMEN'S FUND
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- S 1223 WINSTON-SALEM DEPOSITS
(Ratified Ch.0639) 218, 317, 407, 452, 510.
- S 1222 WINSTON-SALEM PROPERTY
(Ratified Ch.0638) 218, 317, 407, 452, 510.
- S 1221 WINSTON-SALEM UNCLAIMED PROPERTY
(Ratified Ch.0637) 218, 316, 407, 451, 510.

FOX, STANLEY H.

- BILLS INTRODUCED - 1073, 1143, 1145, 1216, 1217, 1218, 1295,
1303, 1329, 1336, 1381, 1402, 1406, 1451, 1452, 1454, 1457, 1459.
- EXCUSED ABSENCES 163, 179, 361, 433.
- SECONDS ADJOURNMENT 27, 126.

FRANKLIN COUNTY

- S 296 LAKE ROYALE MOTOR VEHICLES LAWS
(Returned to Senate for Concurrence) 273, 329,
330, 540.

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- H 1295 BOAT FUEL TAX FOR BOATS
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- H 975 FUEL PAYMENT METHOD
(Postponed Indefinitely) 504.
- H 392 GOVERNOR'S '95 OPERATING APPROPRIATIONS
(Postponed Indefinitely) 472.
- S 1198 TAX AT RACK FINE TUNING
(Ratified Ch.0647) 217, 358, 384, 457, 511.
- H 1029 UNDERGROUND STORAGE TANK AMENDMENTS
(Postponed Indefinitely) 484.
- H 1350 UNDERGROUND STORAGE TANK AMENDMENTS
(Finance) (S 1317) 104, 132.
- S 1317 UNDERGROUND STORAGE TANK AMENDMENTS
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- H 1297 FUNERAL CONTRACT INVESTMENTS
(Finance) 89.
- S 821 PRENEED SALES CLARIFICATION
(Ratified Ch.0665) 234, 307, 544.

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GAMBLE, JOHN R., JR.

BILLS INTRODUCED - *1186, 1217, *1277, 1289, 1335, 1402, 1408,
1457, 1459.

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GARDNER, CHARLOTTE A.

BILLS INTRODUCED - 1079, 1164, 1165, 1166, 1167, 1235, *1237,
1312, 1433.

CONFeree: H.B. 1108

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S 1198 TAX AT RACK FINE TUNING

(Ratified Ch.0647) 217, 358, 384, 457, 511.

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S 1203 BESSEMER CITY CONVEYANCE

(Ratified Ch.0563) 169, 228, 241, 262.

H 1335 GASTONIA SUPPLEMENTAL FUNDS

(Pensions & Retirement) 101, 255, 316.

H 1279 MOUNT HOLLY MAYOR PRO TEM

(Ratified Ch.0620) 79, 122, 141, 435.

H 1411 OUTLAW DOG FIGHTS

(Senate) 138, 397, 409.

GENERAL ASSEMBLY (G.S. 120)

H 376 1995 RETIREMENT BENEFITS ACT

(Postponed Indefinitely) 471.

H 1121 1996 RETIREMENT BENEFITS ACT

(Postponed Indefinitely) 26, 29, 487.

H 1169 ABOLISH BOARDS AND COMMISSIONS

(Senate) 39, 355, 394.

H 630 ADD TRUSTEES/UNIVERSITY SYSTEM

(Postponed Indefinitely) 415, 476.

S 126 AGING COMMISSION SUBCOMMITTEE/

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(Ratified Ch.0583) 174, 223, 363.

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H 1171	CONFIRMATION/APPOINTMENTS (Senate)	39, 132, 173, 188.
H 486	CONFLICTS OF INTEREST (Postponed Indefinitely)	282.
H 196	CONSUMER STUDY COMMISSION (Postponed Indefinitely)	280.
H 42	EDUCATION IMPROVEMENT ACT (Postponed Indefinitely)	413, 464.
H 25	ELECTION LAWS REVIEW (Postponed Indefinitely)	497.
H 934	ENVIRONMENT CLARIFYING/CONFORMING/ TECHNICAL CORRECTIONS (Ratified Ch.0728)	535, 547, 560.
H 240	EXTEND SENTENCING COMMISSION (Postponed Indefinitely)	28.
H 975	FUEL PAYMENT METHOD (Postponed Indefinitely)	504.
H 93	FUND-RAISING IN SESSION (Postponed Indefinitely)	499.
H 938	LEGISLATIVE COMPENSATION (Postponed Indefinitely)	480.
H 371	LEGISLATIVE COMPENSATION REDUCED (Reported Unfavorable)	225.
H 559	LEGISLATIVE RETIREMENT OPTION (Postponed Indefinitely)	226.
H 1271	PUBLIC HEALTH AUTHORITY ACT (Postponed Indefinitely)	78, 342.
H 732	RESTRICT LEGISLATIVE RETIREMENT (Postponed Indefinitely)	226.
H 435	SHERIFFS' COMMISSION CHANGES (Postponed Indefinitely)	500.
H 475	SMALL BUSINESS CAPITAL AND GROWTH ACT (Postponed Indefinitely)	503.
H 963	SMALL BUSINESS SURETY BONDS (Postponed Indefinitely)	504.
H 1436	SPEAKER'S APPOINTMENTS (Senate)	150, 273, 337.
H 1054	STATE FIRE AND RESCUE COMMISSION (Postponed Indefinitely)	486.

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H 240	EXTEND SENTENCING COMMISSION (Postponed Indefinitely)	280.
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H 1180 ADD TRUSTEES/COLLEGE OF THE ALBEMARLE

(Senate) 43, 119, 165, 197.

GRADY, ROBERT

APPOINTED CHAIR OF SELECT COMMITTEE ON

CONGRESSIONAL REDISTRICTING 256.

BILLS INTRODUCED - 1072, 1165, 1218, *1245, *1246, *1247, *1248,
*1249, *1250, *1259, 1294, 1296, 1303, 1406.

CONFeree: H.B. 1108, S.B. 1139 (Chair)

ESCORT FOR TEACHER OF THE YEAR 212.

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H 1394 CERTAIN COUNTIES PROPERTY ACQUISITION

(Ratified Ch.0737) 134, 167, 181, 221,
222, 241, 541, 549, 561.

S 1173 SNOW DAYS OFFSET FOR CERTAIN SCHOOLS

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310, 338, 389, 410, 438, 522.**GRAY, LYONS**

APPOINTED TO SELECT COMMITTEE ON

CONGRESSIONAL REDISTRICTING 256.

BILLS INTRODUCED - 1079, 1102, 1105, *1257, *1258, *1282, *1283,
1294, *1305, *1373, 1452, 1459.

CONFeree: H.B. 1100, H.B. 1108

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GUILFORD COUNTY

H 1394 CERTAIN COUNTIES PROPERTY ACQUISITION

(Ratified Ch.0737) 134, 167, 181, 221,
222, 241, 541, 549, 561.

H 1212 GREENSBORO CLAIMS SETTLEMENTS

(Ratified Ch.0680) 50, 248, 264, 545.

H 1417 GUILFORD DISCLOSURE OF INTEREST

(Ratified Ch.0738) .. 139, 167, 198, 536, 547, 548, 562.

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H 1413	MECKLENBURG/GUILFORD HIGH SCHOOL (Ratified Ch.0750)	138, 194, 260, 302, 304, 333, 551, 558, 563.
H 1411	OUTLAW DOG FIGHTS (Senate)	138, 397, 409.
S 1330	SEDALIA INCORPORATED (Finance)	347.
H 1370	SUMMERFIELD CORPORATE LIMITS (Senate)	115, 130, 259, 292, 325.

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BILLS INTRODUCED - 1073, 1100, 1104, 1218, *1298, *1305, 1402, 1403, 1406, 1451, 1457, 1458, 1459.	
EXCUSED VOTE: S.B. 1317	384.
EXCUSED VOTE: S.B. 905	523.

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H 726	HARNETT LOCAL ACT (Postponed Indefinitely)	285.
H 727	HARNETT LOCAL ACT (Postponed Indefinitely)	285.
H 728	HARNETT LOCAL ACT (Postponed Indefinitely)	285.

HAYES, ROBERT C.

APPROVAL OF VOTE CHANGE ON S.B. 296	331.
BILLS INTRODUCED - *1079, 1235, 1287, 1428, 1451, 1452, 1453, 1459.	
CONFEREE: H.B. 1108	
EXCUSED ABSENCE	113.

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S 1220	LOCAL SCHOOL PAY DATES REPEALED (Education)	217.
S 1173	SNOW DAYS OFFSET FOR CERTAIN SCHOOLS (Ratified Ch.0662)	168, 204, 221, 238, 310, 338, 389, 410, 438, 522.

HAZARDOUS WASTE

- H 1227 ANIMAL WASTE COMMISSION
RECOMMENDATIONS (Postponed Indefinitely)
(S 1217) 58, 180, 505.
- S 1217 ANIMAL WASTE RECOMMENDATIONS
(Ratified Ch.0626) (H 1227) 353, 359, 401, 436.
- H 392 GOVERNOR'S '95 OPERATING APPROPRIATIONS
(Postponed Indefinitely) 472.
- H 1108 MODIFY BUDGET
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110, 246, 252, 277.

HAZARDOUS WASTE MANAGEMENT COMMISSION (G.S. 130B)

- H 1341 DEPARTMENT OF ENVIRONMENT, HEALTH, AND
NATURAL RESOURCES RESTRUCTURING
(Calendar Pursuant Rule 36(a))
(S 1328) 103, 345, 549.
- S 1328 DEPARTMENT OF ENVIRONMENT, HEALTH, AND
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- H 1049 ENVIRONMENTAL PROTECTION IMPROVEMENTS
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- H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER
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- H 332 DOMICILIARY/NURSING HOME PENALTY LAW
(Ratified Ch.0602) 433.
- S 855 PUBLIC HOSPITALS MANAGED CARE/REGISTRY
(Ratified Ch.0713) 274, 348, 356, 394, 395, 398,
462, 514, 524, 525, 526, 555.
- H 1363 RESOLVE ADMINISTRATIVE
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(S 1324) 107, 513, 542.
- S 1324 RESOLVE ADMINISTRATIVE
PROCEDURE ACT PROBLEMS
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(H 1363) 536.

HENDERSON COUNTY

- H 1168 HENDERSON COUNTY ANNEXATION
AGREEMENTS (Finance) 38, 214.

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S	1220	LOCAL SCHOOL PAY DATES REPEALED (Education)	217.
S	1173	SNOW DAYS OFFSET FOR CERTAIN SCHOOLS (Ratified Ch.0662)	168, 204, 221, 238, 310, 338, 389, 410, 438, 522.
H	1187	SNOW DAYS OFFSET LOCAL SCHOOLS (Ratified Ch.0723)	45, 189, 208, 210, 221, 537, 546, 560.
H	1209	WHITE SQUIRREL SANCTUARIES (Ratified Ch.0616)	49, 84, 215, 239, 435.

HENSLEY, ROBERT J.

	APPROVAL OF VOTE CHANGE ON H.B. 1108	253.
	BILLS INTRODUCED - 1073, 1216, 1217, 1218, 1235, 1262, 1264, 1265, 1280, 1281, 1284, 1285, 1288, *1320, *1321, *1353, 1381, 1402, 1406, 1408, 1457, 1458, 1459.	
	SECONDS ADJOURNMENT	355.

HIATT, WILLIAM S.

	BILLS INTRODUCED - 1079, 1165, 1174, *1231, *1232, 1267, 1268, 1287, 1291, 1294, 1296, 1404, *1421, 1451.	
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also see COMMUNITY COLLEGES; EDUCATION

H	1169	ABOLISH BOARDS AND COMMISSIONS (Senate)	39, 355, 394.
H	630	ADD TRUSTEES/UNIVERSITY SYSTEM (Postponed Indefinitely)	415, 476.
H	1283	BUDGET ADJUSTMENTS/CONFORMING (Rules, Calendar & Operations of the House)	80.
H	1303	COMMUNITY COLLEGE EDUCATION IMPROVEMENT ACT (Postponed Indefinitely)	90, 491.
H	803	EAST CAROLINA UNIVERSITY MEDICAL SCHOOL RECEIPTS (Postponed Indefinitely)	416, 478.
H	42	EDUCATION IMPROVEMENT ACT (Postponed Indefinitely)	413, 464.
S	905	FIRE PROTECTION/STUDENT HOUSING (Returned to Senate for Concurrence)	275, 388, 392, 523, 537.

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H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	1247	IMPLEMENT HIGHER EDUCATION CREDIT TRANSFER PLAN (Education) (S 1161)	63.
S	1161	IMPLEMENT HIGHER EDUCATION CREDIT TRANSFER PLAN (Ratified Ch.0625) (H 1247)	142, 299, 403, 436.
H	1072	PEMBROKE STATE UNIVERSITY NAME CHANGE (Ratified Ch.0603) (S 1118)	14, 52, 60, 433.
S	1118	PEMBROKE STATE UNIVERSITY NAME CHANGE (Rules, Calendar & Operations of the House) (H 1072)	51.
H	242	UNIVERSITY OF NORTH CAROLINA/ UNIFORM REVERSION RATE (Postponed Indefinitely)	414, 467.
H	1258	WINSTON-SALEM STATE UNIVERSITY RESIDENCE SALE PROCEEDS (Ratified Ch.0711)	69, 202, 211, 225, 555.

HIGHTOWER, FOYLE R., JR.

BILLS INTRODUCED - 1218, 1235, 1303, 1372, 1402, 1428, 1442, 1443, 1452, 1457, 1458, 1459.	
EXCUSED ABSENCES	55, 257.
EXCUSED VOTE: S.B. 332	72.

HILL, DEWEY

BILLS INTRODUCED - 1071, 1072, 1073, 1074, 1079, 1093, 1100, 1101, 1102, 1103, 1104, 1105, 1108, 1109, 1110, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1175, 1216, 1217, 1218, 1224, 1227, 1281, 1287, 1288, 1290, 1291, 1292, 1295, 1296, 1303, 1312, 1352, 1356, 1383, 1384, 1385, 1396, *1397, 1402, 1428, 1443, 1448, 1452, 1457, 1459.	
CONFeree: S.B. 855	
ESCORT FOR COLONEL WILLIAM S. MCARTHUR	262.

HOLMES, GEORGE M.

APPOINTED TO SELECT COMMITTEE ON CONGRESSIONAL REDISTRICTING	256.
BILLS INTRODUCED - 1079, *1108, *1109, *1110, 1141, 1142, 1182, 1183, 1229, 1266, 1267, 1268, 1282, 1283, *1367.	
CONFeree: H.B. 1108 (Co-Chair)	
EXCUSED ABSENCES	203, 212.

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HOUSE RESOLUTIONS - see RESOLUTIONS, HOUSE (Simple)

HOUSE RULES - see RULES, HOUSE OF REPRESENTATIVES

HOWARD, JULIA C.

APPOINTED TO SELECT COMMITTEE ON

CONGRESSIONAL REDISTRICTING 256.

BILLS INTRODUCED - 1165, 1166, 1167, 1291, 1292, 1303, 1312,
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EXCUSED ABSENCES 55, 127, 361.

HUNT, JACK

BILLS INTRODUCED - 1216, 1217, 1218, 1374, 1400, 1402, *1432,
*1442, 1443, 1457, 1459.

ESCORT FOR TEACHER OF THE YEAR 212.

EXCUSED ABSENCES 62, 113, 203, 361, 433.

EXCUSED VOTE: S.B. 332 72.

HUNTER, HOWARD J., JR.

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BILLS INTRODUCED - 1073, 1100, 1104, 1216, 1218, *1286, 1303,
1369, 1373, 1374, 1382, 1402, 1407, 1453, 1457, 1458.

EXCUSED VOTE: S.B. 821 307.

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HUNTER, ROBERT C.

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BILLS INTRODUCED - 1073, *1208, 1216, *1217, 1218, 1262, *1264,
*1265, 1280, 1281, 1284, 1288, 1303, 1305, 1320, 1321, 1353, 1402,
1406, 1408, *1443, 1451, 1452, 1453, 1457, 1459.

CONFeree: S.B. 1173

EXCUSED ABSENCE 257.

HURLEY, JOHN W.

BILLS INTRODUCED - 1073, 1098, 1124, 1139, 1188, 1216, 1217,

HURLEY, JOHN W.-Contd.

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1428, 1438, 1442, 1443, 1446, 1448, 1457, 1459.

EXCUSED ABSENCE 55.

SECONDS ADJOURNMENT 230.

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S 1189 COUNTY SCHOOL ACQUISITIONS

(Local & Regional Government I) 319.

H 1376 LOCAL RACCOON TRAPPING

(Ratified Ch.0630) 123, 227, 240, 412, 439, 509.

-I-**INDIANS (G.S. 71A)**

H 1381 HALIWA-SAPONI TRIBE DESIGNATION

(Senate) 124, 249, 265.

INDUSTRIAL AND POLLUTION CONTROL FACILITIES**FINANCING ACT (G.S. 159C)**

H 475 SMALL BUSINESS CAPITAL AND GROWTH ACT

(Postponed Indefinitely) 503.

INSPECTION AND LICENSING OF FACILITIES (G.S. 131D)

H 936 DOMICILIARY HOMES/EMPLOYEE TRAINING

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H 332 DOMICILIARY/NURSING HOME PENALTY LAW

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S 1014 HEALTH CARE EMPLOYEE RECORD CHECK

(Ratified Ch.0606) 110, 171, 186, 434.

INSURANCE (G.S. 58)

H 1169 ABOLISH BOARDS AND COMMISSIONS

(Senate) 39, 355, 394.

H 1255 AMEND CRIMINAL PENALTIES

(Postponed Indefinitely) 69, 501.

H 1349 AMEND PSYCHOLOGY PRACTICE ACT

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H 1312 AUTHORIZE MEDICAL SAVINGS ACCOUNTS

(Postponed Indefinitely) 91, 309, 506, 508.

S 534 BAIL BONDSMEN REGULATION

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S 1148	BEACH PLAN ADDITIONAL COVERAGE (Ratified Ch.0740) (H 1191)	352, 461, 514, 550, 562.
H 1192	BEACH PLAN RESERVE FUND (Ratified Ch.0579)	46, 158, 184, 362.
H 1195	CONFORM RECEIVERSHIP LAWS (Insurance) (S 1150)	46.
S 1150	CONFORM RECEIVERSHIP LAWS (Ratified Ch.0658) (H 1195)	125, 182, 460, 521.
S 678	CONSUMER PROTECTION FUND (Finance)	217.
H 1193	CONTINUING CARE FACILITY SUPERVISION (Ratified Ch.0582)	46, 95, 117, 362.
H 1218	FIRE PENSIONS INCREASED (Postponed Indefinitely)	56, 489.
S 905	FIRE PROTECTION/STUDENT HOUSING (Returned to Senate for Concurrence)	275, 388, 392, 523, 537.
S 1301	GENERAL STATUTES TECHNICAL BILL (Ratified Ch.0742)	353, 397, 523, 562.
H 105	INCREASE FIRE/RESCUE SQUAD BENEFITS (Postponed Indefinitely)	465.
H 1197	INSURANCE COMPANY INVESTMENTS (Insurance) (S 1151)	47.
S 1151	INSURANCE COMPANY INVESTMENTS (Ratified Ch.0659) (H 1197)	142, 182, 409, 460, 521.
H 98	LONG-TERM CARE INSURANCE STUDY (Postponed Indefinitely)	280.
H 1086	LOSS COSTS CLEANUP (Ratified Ch.0729)	19, 55, 65, 535, 548, 560.
H 1194	MEDICARE SUPPLEMENT POLICIES (Senate)	46, 251, 337.
H 344	PENSION OPEN ENROLLMENT PERIOD (Postponed Indefinitely)	470.
H 1096	PREMIUMS TAX COLLECTION (Ratified Ch.0747)	21, 68, 83, 97, 552, 559, 563.
H 909	PROBATION BONDS (Postponed Indefinitely)	504.
H 1345	REGULATORY FEE PROVISIONS (Ratified Ch.0670)	86, 204, 221, 241, 544.

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- H 1196 REPEAL REINSURANCE RESTRICTIONS
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- S 1146 REPEAL REINSURANCE RESTRICTIONS
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- S 1178 REVENUE LAWS TECHNICAL CHANGES
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- H 1200 REVISE BEACH PLAN PARTICIPATION FORMULA
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- H 1201 REVISE CONSENT TO RATE
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- H 1199 REVISE DEFINITION OF NONFLEET
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- H 1202 SMALL EMPLOYER HEALTH PLANS
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- H 184 STATE EMPLOYEE LIABILITY TRUST FUND
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- H 1198 UNINSURED/UNDERINSURED COVERAGE
(Senate) 47, 96, 117, 165, 202.

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- S 332 LATE CHARGES/REVOLVING CREDIT
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- H 649 IREDELL SCHOOL MERGER
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- H 1379 IREDELL-MOORESVILLE SCHOOL BOUNDARIES
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- H 1156 MOORESVILLE UNCLAIMED BICYCLES
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- H 1272 STATESVILLE DEANNEXATION
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BILLS INTRODUCED - 1079, *1097, 1165, *1168, *1209, 1235, 1287,
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CONFEREE: H.B. 1108

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-J-**JACKSON COUNTY**

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H 1371 JOHNSTON ANIMAL CONTROL FACILITY

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H 1411 OUTLAW DOG FIGHTS

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S 1260 FORECLOSURE FILING FEE

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H 1296 REPEAL THIRTY-DAY TAX PROTEST RULE

(Senate) 83, 236, 306.

H 267 RESTITUTION/CIVIL JUDGMENT

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H 1284 RESTITUTION/CIVIL JUDGMENT

(Postponed Indefinitely) 80, 502.

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- H 1321 WAIVER OF RECORDING/DISTRICT COURT
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- H 1169 ABOLISH BOARDS AND COMMISSIONS
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- S 709 ALLOW CONSOLIDATED HUMAN SERVICES
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- H 778 CHANGE EMERGENCY JUDGE PAY
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- H 1316 CHILD FATALITY TASK FORCE CONFIDENTIAL
RECORDS CHANGE (Senate) 92, 250, 386.
- H 249 CLARIFY JUVENILE COMMITMENTS
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- H 430 COSTS/VICTIMS ASSISTANTS
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- H 1262 COURT INFORMATION REMOTE ACCESS
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- H 1265 COURTS COMMISSION MEMBERSHIP
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- H 1278 DEPENDENT JUVENILE DEFINITION CHANGE
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- S 1241 DEPENDENT JUVENILE DEFINITION CHANGE
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- H 737 DIVIDE DISTRICT COURT/PROSECUTORIAL
DISTRICT 30 (Postponed Indefinitely) 424, 477.
- H 436 DRUG TREATMENT COURT ACT
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- H 42 EDUCATION IMPROVEMENT ACT
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- H 934 ENVIRONMENT CLARIFYING/CONFORMING/
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- H 255 EXTEND JUVENILE PILOT PROGRAM
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- S 33 FELONY PLEAS/ARRAIGNMENT CHANGES
(Ratified Ch.0725) 84, 147, 236, 401, 560.
- S 1260 FORECLOSURE FILING FEE
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H 1114	INCREASE JAIL FEES (Finance)	25, 213.
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H 271	PILOT MEDIATION/EQUITABLE DISTRIBUTION (Postponed Indefinitely)	423, 468.
H 40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.
H 250	PSYCHOLOGICAL COUNSELING OF PARENTS (Postponed Indefinitely)	499.
H 4	REPEAL PRISON CAP (Postponed Indefinitely)	463.
H 1426	REPEAL SAFE DEPOSIT INVENTORY FEE (Finance)	148.
H 267	RESTITUTION/CIVIL JUDGMENT (Postponed Indefinitely)	423, 468.
H 1284	RESTITUTION/CIVIL JUDGMENT (Postponed Indefinitely)	80, 502.
H 155	RESTITUTION/VICTIM IMPACT STATEMENTS (Postponed Indefinitely)	499.
H 9	STREAMLINE CRIMINAL APPEALS (Ratified Ch.0719)	534, 547, 559.
H 20	SUPERIOR COURT ELECTION BY DIVISION (Postponed Indefinitely)	511.
H 1263	SUPERIOR COURT LONGEVITY PAY (Postponed Indefinitely)	70, 490.
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H 573	LAW ENFORCEMENT TO CRIME CONTROL AND PUBLIC SAFETY (Postponed Indefinitely) ..	424, 475.
H 40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.

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*1323, *1324, *1325, 1349, 1404, *1437, *1438, 1451, 1452, 1453.

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-K-**KISER, JOE L.**

BILLS INTRODUCED - 1113, *1155, 1165, 1204, 1214, 1229, 1235,
*1289, 1290, 1296, 1301, 1302, *1305, 1312, 1349, 1353, 1426,
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CONFeree: H.B. 1108

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-L-**LABOR DEPARTMENT AND REGULATIONS (G.S. 95)**

H 1233 HIGH-VOLTAGE LINE SAFETY ACT

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H 376 1995 RETIREMENT BENEFITS ACT

(Postponed Indefinitely) 471.

H 1169 ABOLISH BOARDS AND COMMISSIONS

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H 253 ALCOHOL BEVERAGE CONTROL LEGISLATIVE
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H 753 AMEND LAW ENFORCEMENT OFFICER
RETIREMENT DEFINITION

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H 1204 ASSAULT LAW OFFICER/FIREFIGHTER

(Senate) 48, 315, 393.

S 359 BLUE LIGHT BANDIT/FELONY

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H 189 CONCEALED WEAPON LICENSE

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S	1301	GENERAL STATUTES TECHNICAL BILL (Ratified Ch.0742)	353, 397, 523, 562.
H	760	LAW ENFORCEMENT OFFICER DISCIPLINE (Postponed Indefinitely)	513.
H	573	LAW ENFORCEMENT TO CRIME CONTROL AND PUBLIC SAFETY (Postponed Indefinitely) . .	424, 475.
H	1108	MODIFY BUDGET (Conference Committee)	24, 99, 107, 110, 246, 252, 277.
H	811	NEW CAPITAL CRIME/REPEAL LIFE REVIEW (Postponed Indefinitely)	500.
H	147	OFF-DUTY OFFICER/CONCEALED WEAPON (Postponed Indefinitely)	512.
H	435	SHERIFFS' COMMISSION CHANGES (Postponed Indefinitely)	500.
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H	953	STATE EMPLOYEE REDUCTIONS IN FORCE RIGHTS/OPTIONS (Postponed Indefinitely) . . .	480.

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BILLS INTRODUCED - 1204, 1217, 1218, 1235, 1287, 1402, 1442, 1443, 1452, 1457, 1459.	
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BILLS INTRODUCED - *1086, *1087, *1088, *1089, *1090, *1091,
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S 1139 ABC'S PLAN

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409, 410, 514, 524, 526, 533, 559.

H 237 ADOPTION RECORDS ACCESS

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H 253 ALCOHOL BEVERAGE CONTROL LEGISLATIVE
RESEARCH COMMISSION STUDY

RECOMMENDATIONS (Postponed Indefinitely) . 500.

S 503 ALLOW SEASONAL, RESTRICTED COMMERCIAL
DRIVERS LICENSES (Finance) 340.

H 1317 AMEND ENVIRONMENTAL MANAGEMENT
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H 1349 AMEND PSYCHOLOGY PRACTICE ACT

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H 1227 ANIMAL WASTE COMMISSION RECOMMENDATIONS
(Postponed Indefinitely) (S 1217) 58, 180, 505.

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S 534 BAIL BONDSMEN REGULATION

(Ratified Ch.0726) 397, 457, 517, 560.

S 555 BOARD OF DENTAL EXAMINERS FEES

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H 919 BRADY BILL IMPLEMENTATION

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H 1077 CHANGES IN FISHERIES LAWS

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H	1182	DELETE "L" COMMERCIAL DRIVERS LICENSE ENDORSEMENT (Ratified Ch.0695)	44, 231, 336, 554.
H	1341	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Calendar Pursuant Rule 36(a)) (S 1328)	103, 345, 549.
S	1328	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Ratified Ch.0743) (H 1341)	183, 234, 549, 562.
H	332	DOMICILIARY/NURSING HOME PENALTY LAW (Ratified Ch.0602)	433.
H	1337	EMISSIONS INSPECTION PENALTIES (Senate) (S 1298)	102, 345, 393.
S	1298	EMISSIONS INSPECTION PENALTIES (Calendar Pursuant Rule 36(a)) (H 1337) . . .	537, 543.
H	934	ENVIRONMENT CLARIFYING/CONFORMING/ TECHNICAL CORRECTIONS (Ratified Ch.0728)	535, 547, 560.
H	926	ESTHETICIAN REGISTRATION (Postponed Indefinitely)	286.
H	1420	INTERCHANGE DEVELOPMENT ALCOHOLIC BEVERAGE CONTROL PERMITS (Local & Regional Government I)	139.
H	238	LICENSING OF POULTRY AND RATITE DEALERS (Postponed Indefinitely)	503.
H	847	MONUMENT CONTRACTORS ACT (Postponed Indefinitely)	285.
H	1166	NONPROFITS DISCLOSURE/ACCOUNTABILITY (Ratified Ch.0748)	38, 53, 75, 98, 541, 556, 563.
H	1149	PHYSICIAN REGISTRATION (Ratified Ch.0634)	34, 158, 177, 179, 209, 413, 441, 510.
S	821	PRENEED SALES CLARIFICATION (Ratified Ch.0665)	234, 307, 544.
S	294	REGULATION OF BARBERS (Ratified Ch.0605)	75, 142, 155, 434.
H	1196	REPEAL REINSURANCE RESTRICTIONS (Insurance) (S 1146)	47.

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- S 1146 REPEAL REINSURANCE RESTRICTIONS
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- H 1363 RESOLVE ADMINISTRATIVE
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- S 1324 RESOLVE ADMINISTRATIVE
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(Rules, Calendar & Operations of the House)
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- H 1183 SIXTY DAYS TO CHANGE DIVISION OF
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- S 838 SOLICITATIONS ACT/EXEMPTION
(Ratified Ch.0650) 68, 403, 458, 520.
- H 1436 SPEAKER'S APPOINTMENTS
(Senate) 150, 273, 337.
- H 1188 SPECIAL VETERANS PLATES FEES
(Finance) 45.
- H 879 STATEWIDE GUN REGULATION
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- S 1198 TAX AT RACK FINE TUNING
(Ratified Ch.0647) 217, 358, 384, 457, 511.
- S 687 WASTEWATER SYSTEM IMPROVEMENT PERMITS
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- H 1351 WELL AND PUMP CONTRACTORS
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- H 629 LINCOLNTON ELECTIONS
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- H 1289 LINCOLNTON-LINCOLN AIRPORT AUTHORITY
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- EXCUSED ABSENCES 62, 100, 191.

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H 104 TAXPAYER'S RIGHTS AMENDMENTS
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H 27 ABSENTEE VOTING REVISION
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S 878 JOINT AIRPORTS/WATER AND WASTEWATER
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1453, 1457, 1459.

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H 838 LOTTERY FOR SCHOOL BUILDINGS
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H 191 REQUIRE FISCAL NOTE/SUBJECT MATTER
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BILLS INTRODUCED - *1073, 1218, 1277, 1295, 1303, 1315, 1316,
1398, 1402, 1406, 1408, 1451, 1453, 1458, 1457, 1459.

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- H 1286 NORTHAMPTON ROAD HUNTING
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- S 1263 NORTHAMPTON/MACON HUNTING
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- S 1173 SNOW DAYS OFFSET FOR CERTAIN SCHOOLS
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- H 1187 SNOW DAYS OFFSET LOCAL SCHOOLS
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- S 1173 SNOW DAYS OFFSET FOR CERTAIN SCHOOLS
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- H 237 ADOPTION RECORDS ACCESS
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- S 1394 AUTHORIZE SAME-SEX MARRIAGE BAN BILL
(Ratified Res.17) 144, 175, 200, 204.
- H 686 DOMESTIC VIOLENCE CHANGES
(Ratified Ch.0591) 352, 367, 396.
- H 255 EXTEND JUVENILE PILOT PROGRAM
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- H 31 FAMILY EXEMPTION REMOVED
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- H 1452 NO SAME-SEX MARRIAGES
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(Ratified Ch.0588) (H 1452) 308, 310, 349, 363.
- H 954 PARENTAL CHOICE IN EDUCATION
(Postponed Indefinitely) 416, 480.
- H 271 PILOT MEDIATION/EQUITABLE DISTRIBUTION
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- H 250 PSYCHOLOGICAL COUNSELING OF PARENTS
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- H 892 RIGHT TO EDUCATE CHILDREN
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H 35	TAX RELIEF/COMPETITIVENESS (Postponed Indefinitely)	502.

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H 1234	LOCAL SCHOOL ACQUISITION (Ratified Ch.0703)	59, 215, 258, 302, 333, 554.

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CONFEREE: H.B. 910		
EXCUSED ABSENCE		145.

MCCOMAS, DANIEL F.

APPROVAL OF VOTE CHANGE ON S.B. 1375		451.
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EXCUSED VOTE: S.B. 1294		557.

MCCOMBS, W. EUGENE

BILLS INTRODUCED - 1079, 1214, 1218, 1235, 1312, 1350, 1356, 1452, 1459.		
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MCCRARY, PAUL R.

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BILLS INTRODUCED - 1111, *1141, *1142, *1182, *1183, 1266, 1267,
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*1165, *1166, *1167, 1174, 1175, 1182, 1183, 1218, 1245, 1246,
1247, 1248, 1249, 1250, 1266, 1267, 1268, 1287, 1294, 1301, 1302,
1349, 1365, 1373, *1413, *1414, 1423, 1426, 1428, 1438, 1444,
1445, 1452.

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S 1393 MECKLENBURG/CATAWBA DEPUTIES'

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- H 1079 REPEAL STATE FOOD TAX/FREEZE HIRING
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- H 843 MEDICAID BED-HOLDING
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- H 1108 MODIFY BUDGET
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- H 1153 ACCIDENT VICTIM IDENTIFICATION ACT/FUNDS
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- H 1255 AMEND CRIMINAL PENALTIES
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- H 489 AMEND DEFINITION OF PODIATRY
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- H 1349 AMEND PSYCHOLOGY PRACTICE ACT
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- S 555 BOARD OF DENTAL EXAMINERS FEES
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- H 157 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS
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- S 208 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS
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- H 962 DRUG KINGPIN ACT
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H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	741	MEDICAL RECORD FEES (Postponed Indefinitely)	430, 477.
H	1150	MEDICAL RECORDS/FEES (Finance)	34.
S	1094	NURSING HOME ADMINISTRATOR FEES (Ratified Ch.0645)	299, 382, 455, 511.
H	1149	PHYSICIAN REGISTRATION (Ratified Ch.0634)	34, 158, 177, 179, 209, 413, 441, 510.
S	821	PRENEED SALES CLARIFICATION (Ratified Ch.0665)	234, 307, 544.

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S	846	ADVANCE INSTRUCTION/MENTAL HEALTH TREATMENT (Calendar Pursuant Rule 36(a)) ..	397.
S	709	ALLOW CONSOLIDATED HUMAN SERVICES (Ratified Ch.0690)	66, 77, 205, 229, 274, 335, 379, 553.
H	1349	AMEND PSYCHOLOGY PRACTICE ACT (Rules, Calendar & Operations of the House)	104.
H	1237	AREA AUTHORITY ACCOUNTABILITY (Ratified Ch.0749)	59, 461, 513, 556, 563.
H	919	BRADY BILL IMPLEMENTATION (Postponed Indefinitely)	479.
H	1316	CHILD FATALITY TASK FORCE CONFIDENTIAL RECORDS CHANGE (Senate)	92, 250, 386.
H	1144	CREATE BUTNER ADVISORY COUNCIL (Ratified Ch.0667)	33, 128, 235, 336, 544.
H	936	DOMICILIARY HOMES/EMPLOYEE TRAINING (Postponed Indefinitely)	422, 480.
H	1248	EDUCATION OF GIFTED STUDENTS (Education) (S 1207)	64.

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S	1014	HEALTH CARE EMPLOYEE RECORD CHECK (Ratified Ch.0606)	110, 171, 186, 434.
H	1207	LENGTH OF JUVENILE COMMITMENT (Ratified Ch.0609)	49, 250, 337, 349, 434.
S	859	THOMAS S. FUNDS DIVERSION (Ratified Ch.0739)	41, 432, 524, 562.

MERCER, LINWOOD E.

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MICHAUX, H. M.

BILLS INTRODUCED - 1218, 1398, 1402, 1451, *1453, 1457, 1458, 1459.	
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MILLER, GEORGE W., JR.

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- H 859 SOLID WASTE AMENDMENTS
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- H 1301 ABDUCTION FROM LEGAL CUSTODIAN
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- H 237 ADOPTION RECORDS ACCESS
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- H 180 ALTERNATIVE LEARNING PROGRAMS
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- H 910 CHILD BICYCLE SAFETY ACT
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- H 1316 CHILD FATALITY TASK FORCE CONFIDENTIAL
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- H 1294 CHILD FATALITY TASK FORCE DATA REPORT
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- H 1280 CHILD SUPPORT LIEN
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- H 781 CHILDREN FIRST/EDUCATIONAL OPPORTUNITY
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- H 249 CLARIFY JUVENILE COMMITMENTS
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- H 256 COMMUNITY-BASED PARTNERSHIP/GRANT
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- S 1297 CONDITIONS OF PROBATION
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- H 1278 DEPENDENT JUVENILE DEFINITION CHANGE
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- S 1241 DEPENDENT JUVENILE DEFINITION CHANGE
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- H 686 DOMESTIC VIOLENCE CHANGES
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- H 1248 EDUCATION OF GIFTED STUDENTS
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H	255	EXTEND JUVENILE PILOT PROGRAM (Postponed Indefinitely)	281.
S	1301	GENERAL STATUTES TECHNICAL BILL (Ratified Ch.0742)	353, 397, 523, 562.
H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	1207	LENGTH OF JUVENILE COMMITMENT (Ratified Ch.0609)	49, 250, 337, 349, 434.
H	1108	MODIFY BUDGET (Conference Committee)	24, 99, 107, 110, 246, 252, 277.
H	870	NEIGHBORHOOD RELIEF ACT (Postponed Indefinitely)	422, 479.
H	109	NO NORTH CAROLINA DRIVERS LICENSE FOR DROPOUTS (Postponed Indefinitely)	414, 465.
H	954	PARENTAL CHOICE IN EDUCATION (Postponed Indefinitely)	416, 480.
H	250	PSYCHOLOGICAL COUNSELING OF PARENTS (Postponed Indefinitely)	499.
H	939	REAL EDUCATION PROGRAM (Postponed Indefinitely)	342.
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S	1296	SEX OFFENDER POST-RELEASE SUPERVISION (Judiciary II) (H 1324)	352.
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H	35	TAX RELIEF/COMPETITIVENESS (Postponed Indefinitely)	502.

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- H 1307 SPRUCE PINE ANNEXATION
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- H 1306 SPRUCE PINE DEANNEXATION
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- S 843 ANTITRUST REVISIONS
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- S 723 TELEPHONE CONSUMER PROTECTION ACT
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- S 1409 TRESPASS/THEFT OF PINE STRAW
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- S 1176 FOXFIRE VILLAGE STREETS
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- H 233 MOORE COUNTY TO DISTRICT 19B
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S 833 AMBER LIGHTS ON STOPPED VEHICLES
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H 1255 AMEND CRIMINAL PENALTIES
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H 910 CHILD BICYCLE SAFETY ACT
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H 1171 CONFIRMATION/APPOINTMENTS
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H 430 COSTS/VICTIMS ASSISTANTS
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S 1165 COUNTY REMOVE REGISTRATION BLOCK
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H 157 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS
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S 208 CRIMINAL TECHNICAL/CLARIFYING AMENDMENTS
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H 1182 DELETE "L" COMMERCIAL DRIVERS
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H 1341 DEPARTMENT OF ENVIRONMENT, HEALTH, AND
NATURAL RESOURCES RESTRUCTURING
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H	1287	DRIVING WHILE IMPAIRED/FELONY PRIOR RECORD LEVEL (Senate)	80, 250, 306.
H	1337	EMISSIONS INSPECTION PENALTIES (Senate) (S 1298)	102, 345, 393.
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H	1268	EXPEDITE TOWED VEHICLE DISPOSAL (Ratified Ch.0635)	71, 181, 210, 411, 441, 510.
H	975	FUEL PAYMENT METHOD (Postponed Indefinitely)	504.
H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	1232	MEDICAL EVALUATION REPORTS TO DIVISION OF MOTOR VEHICLES (Transportation)	58.
H	156	MODIFY ACTIVE SENTENCE (Postponed Indefinitely) (S 209)	499.
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H	853	MOTOR VEHICLE TOWING MODIFICATIONS (Postponed Indefinitely)	479.
H	621	NO ALAMANCE I-85/I-40 SPEED POINTS (Postponed Indefinitely)	463.
S	1273	NO DIVISION OF MOTOR VEHICLES COMMISSIONER POSITION (Calendar Pursuant Rule 36(a))	536, 543.
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H	109	NO NORTH CAROLINA DRIVERS LICENSE FOR DROPOUTS (Postponed Indefinitely)	414, 465.
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H 1113	REPEAL SAFETY INSPECTION (Transportation)	25.
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H 1188	SPECIAL VETERANS PLATES FEES (Finance)	45.
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S 1270	SPEED LIMITS (Ratified Ch.0652)	312, 354, 402, 459, 521.
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NEELY, CHARLES B.

BILLS INTRODUCED - *1092, *1093, 1094, 1095, 1096, *1099, 1119, 1120, 1127, 1147, 1204, 1242, 1262, 1264, 1265, 1280, 1284, 1295,
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CONFERE: S.B. 855

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- S 1313 CASTLE HAYNE INCORPORATION
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- S 1189 COUNTY SCHOOL ACQUISITIONS
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- S 1220 LOCAL SCHOOL PAY DATES REPEALED
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- S 1396 NEW HANOVER NURSING HOME BOARD
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NICHOLS, JOHN M.

BILLS INTRODUCED - 1079, *1134, *1135, *1136, *1187, 1214, 1218,
1235, *1251, *1254, 1259, 1266, 1267, 1268, 1270, 1281, 1295,
1296, 1312, *1317, 1323, 1337, 1338, 1339, *1340, *1341, 1346,
1350, 1354, *1395, 1404, 1406, *1418, 1428, 1448, 1459.

CONFERE: H.B. 1108, S.B. 1173

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- H 365 NO ANNUAL CORPORATION REPORT/FEE
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- H 1270 CRAVEN/NORTHAMPTON ROAD HUNTING
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- H 1286 NORTHAMPTON ROAD HUNTING
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BILLS INTRODUCED - 1165, 1166, 1167, 1218, 1235, *1240, *1293,
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CONFEREE: H.B. 1108

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H 1121 1996 RETIREMENT BENEFITS ACT
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H 753 AMEND LAW ENFORCEMENT OFFICER
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S 733 OUT-OF-STATE RETIREMENT
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BILLS INTRODUCED - 1073, 1218, 1257, 1258, 1303, 1402, 1451,
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OWENS, WILLIAM C., JR.

BILLS INTRODUCED - 1072, *1080, *1081, 1100, 1102, 1103, 1104,
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- H 1049 ENVIRONMENTAL PROTECTION IMPROVEMENTS
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- S 1301 GENERAL STATUTES TECHNICAL BILL
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- H 1029 UNDERGROUND STORAGE TANK AMENDMENTS
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1459.

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H 1411 OUTLAW DOG FIGHTS

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H 376 1995 RETIREMENT BENEFITS ACT

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H 1373 1996 ECONOMIC INCENTIVES PACKAGE

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H 1121 1996 RETIREMENT BENEFITS ACT

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H 1045 28-YEAR RETIREMENT WINDOW

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H 1250 ABC'S PLAN

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S 1139 ABC'S PLAN

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410, 514, 524, 526, 533, 559.

SALARIES, FEES, AND ALLOWANCES (G.S. 138)-Contd.

H	753	AMEND LAW ENFORCEMENT OFFICER RETIREMENT DEFINITION (Postponed Indefinitely)	341.
H	1283	BUDGET ADJUSTMENTS/CONFORMING (Rules, Calendar & Operations of the House)	80.
H	778	CHANGE EMERGENCY JUDGE PAY (Postponed Indefinitely)	424, 477.
H	1269	COMMUNITY COLLEGE EMPLOYEE RETIREMENT (Postponed Indefinitely)	71, 180, 490.
H	430	COSTS/VICTIMS ASSISTANTS (Postponed Indefinitely)	473.
H	1288	CREDIT/REFUND FEDERAL RETIREES (Postponed Indefinitely)	81, 506.
H	42	EDUCATION IMPROVEMENT ACT (Postponed Indefinitely)	413, 464.
H	25	ELECTION LAWS REVIEW (Postponed Indefinitely)	497.
H	1406	EQUALIZE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES LAW ENFORCEMENT OFFICERS PAY (Postponed Indefinitely)	137, 494.
H	240	EXTEND SENTENCING COMMISSION (Postponed Indefinitely)	280.
H	1218	FIRE PENSIONS INCREASED (Postponed Indefinitely)	56, 489.
H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	105	INCREASE FIRE/RESCUE SQUAD BENEFITS (Postponed Indefinitely)	465.
H	938	LEGISLATIVE COMPENSATION (Postponed Indefinitely)	480.
H	371	LEGISLATIVE COMPENSATION REDUCED (Reported Unfavorable)	225.
H	559	LEGISLATIVE RETIREMENT OPTION (Postponed Indefinitely)	226.
S	1220	LOCAL SCHOOL PAY DATES REPEALED (Education)	217.
H	1435	MINIMUM WAGE EARNERS EXEMPT (Postponed Indefinitely)	150, 507.
H	1108	MODIFY BUDGET (Conference Committee)	24, 99, 107, 110, 246, 252, 277.

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H	1107	OPERATION PRIDE (Postponed Indefinitely)	24, 365.
S	733	OUT-OF-STATE RETIREMENT (Reported Unfavorable)	226.
H	344	PENSION OPEN ENROLLMENT PERIOD (Postponed Indefinitely)	470.
H	1259	REFUND FEDERAL RETIREES (Senate)	69, 177, 245, 254.
H	972	REFUND FEDERAL RETIREES IN 4 YEARS (Postponed Indefinitely)	504.
H	1216	REFUND ILLEGAL TAXES (Finance)	50.
H	732	RESTRICT LEGISLATIVE RETIREMENT (Postponed Indefinitely)	226.
H	1322	SALARY CONTINUATION IN DEPARTMENT OF CORRECTION (Postponed Indefinitely)	93, 491.
H	1026	SCHOOL CENTRAL OFFICE PERSONNEL SALARIES (Postponed Indefinitely)	417, 484.
H	946	SCHOOL CENTRAL OFFICE SALARIES (Postponed Indefinitely)	416, 480.
H	947	SCHOOL CENTRAL OFFICE SALARIES (Postponed Indefinitely)	416, 480.
H	435	SHERIFFS' COMMISSION CHANGES (Postponed Indefinitely)	500.
H	475	SMALL BUSINESS CAPITAL AND GROWTH ACT (Postponed Indefinitely)	503.
H	963	SMALL BUSINESS SURETY BONDS (Postponed Indefinitely)	504.
H	1202	SMALL EMPLOYER HEALTH PLANS (Ratified Ch.0669)	48, 159, 185, 544.
H	953	STATE EMPLOYEE REDUCTIONS IN FORCE RIGHTS/OPTIONS (Postponed Indefinitely) . . .	480.
H	1054	STATE FIRE AND RESCUE COMMISSION (Postponed Indefinitely)	486.
H	772	STATE HEALTH PLAN MODIFICATIONS (Postponed Indefinitely)	477.
H	925	STATE PERSONNEL ACT EMPLOYEE PAY RAISE (Postponed Indefinitely)	479.
H	1139	STATE PERSONNEL GRIEVANCE PROCEDURE (Senate)	32, 234, 270, 386, 388, 395.
H	1263	SUPERIOR COURT LONGEVITY PAY (Postponed Indefinitely)	70, 490.

SALARIES, FEES, AND ALLOWANCES (G.S. 138)-Contd.

- S 1344 SUPPLEMENTAL INSURANCE BENEFITS
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- H 35 TAX RELIEF/COMPETITIVENESS
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- H 410 TEACHERS-STAFF DEVELOPMENT DAYS
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- H 1116 CLINTON-SAMPSON AGRI-CIVIC CENTER
(Ratified Ch.0700) 25, 248, 357, 377, 554.

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- H 1227 ANIMAL WASTE COMMISSION RECOMMENDATIONS
(Postponed Indefinitely) (S 1217) 58, 180, 505.
- S 1217 ANIMAL WASTE RECOMMENDATIONS
(Ratified Ch.0626) (H 1227) 353, 359, 401, 436.
- S 294 REGULATION OF BARBERS
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- H 859 SOLID WASTE AMENDMENTS
(Ratified Ch.0594) 353, 368, 376, 396.

SAVINGS BANKS (G.S. 54C); SAVINGS & LOANS (G.S. 54B) -

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- H 1189 FINANCIAL INSTITUTIONS HOLIDAY AMENDED
(Ratified Ch.0556) 45, 131, 161, 191.

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- S 1220 LOCAL SCHOOL PAY DATES REPEALED
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- S 598 SCOTLAND COUNTY FIRE DISTRICTS
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- H 531 EXEMPT CERTAIN SECURITIES
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- H 475 SMALL BUSINESS CAPITAL AND GROWTH ACT
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H	1325	CONDITIONS OF PROBATION (Postponed Indefinitely) (S 1297)	94, 502.
S	1297	CONDITIONS OF PROBATION (Rules, Calendar & Operations of the House) (H 1325)	352, 390, 537.
H	207	EXPLOIT CHILD/SOLICIT BY COMPUTER (Ratified Ch.0632)	411, 440, 509.
H	40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.
H	1324	SEX OFFENDER POST-RELEASE SUPERVISION (Senate) (S 1296)	94, 300, 338.
S	1296	SEX OFFENDER POST-RELEASE SUPERVISION (Judiciary II) (H 1324)	352.

SEXTON, P. WAYNE

		APPROVAL OF VOTE CHANGE ON H.B. 1208	547.
		APPROVAL OF VOTE CHANGE ON JOURNAL OF JUNE 5	179.
		BILLS INTRODUCED - 1079, 1082, 1083, 1084, 1090, 1093, 1100, 1101, 1102, 1103, 1113, 1114, 1128, 1144, 1146, 1155, 1165, 1166, 1167, 1188, 1204, 1207, *1215, 1218, 1235, 1243, 1247, 1248, 1249, 1250, *1252, 1257, 1258, 1259, 1266, 1267, 1268, 1269, 1294, 1312, *1393, 1404, 1426, 1428, 1448, 1451, 1452.	

SHARPE, JOANNE P.

		APPROVAL OF VOTE CHANGE ON H.B. 1100	172.
		BILLS INTRODUCED - 1079, 1086, 1087, 1088, 1089, 1090, 1091, 1100, 1113, 1155, 1165, 1173, 1203, 1212, 1218, 1259, 1266, 1267, 1268, 1278, 1287, *1294, 1296, 1301, 1302, 1315, 1316, 1349, 1359, 1362, 1363, 1364, 1404, 1425, 1426, 1428, 1433, 1448, 1452, 1459.	

SHAW, LARRY

		BILLS INTRODUCED - 1092, 1093, 1094, 1095, 1096, 1098, 1099, *1119, *1120, 1127, 1147, 1188, 1218, *1238, 1242, *1288, *1330, *1342, *1343, 1355, *1369, *1391, 1401, 1402, 1407, 1409, *1446, *1447, 1451, 1452, 1453, 1458.	
		EXCUSED VOTE: S.B. 332	72.

SHERIFF'S EDUCATION AND TRAINING STANDARDS**COMMISSION, N.C. (G.S. 17E)**

H	760	LAW ENFORCEMENT OFFICER DISCIPLINE (Postponed Indefinitely)	513.
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SHERIFF'S EDUCATION AND TRAINING STANDARDS**COMMISSION, N.C. (G.S. 17E)-Contd.**

H 435	SHERIFFS' COMMISSION CHANGES (Postponed Indefinitely)	500.
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SHERRILL, WILMA M.

	APPROVAL OF VOTE CHANGE ON H.B. 1191	202.
	BILLS INTRODUCED - 1079, 1082, 1083, 1084, 1087, *1139, 1141, 1146, *1148, 1169, 1171, 1174, 1259, 1266, 1294, 1296, 1301, 1302, 1349, 1404, 1428, 1459.	

SHUBERT, FERN H.

	BILLS INTRODUCED - 1079, 1092, 1093, 1094, 1095, 1096, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1119, 1120, 1127, *1146, *1147, 1165, 1166, 1167, 1173, *1241, *1242, 1266, 1268, 1294, 1296, 1312, 1349, 1404, 1428, *1439, *1440, 1451, 1452, 1459.	
	CONFeree: H.B. 1100	
	DISMISSED AS CONFeree ON H.B. 1100	399.

SOCIAL SERVICES (G.S. 108A)

S 709	ALLOW CONSOLIDATED HUMAN SERVICES (Ratified Ch.0690)	66, 77, 205, 229, 274, 335, 379, 553.
H 96	DOMESTIC ABUSE/DISABLED OR ELDER ADULTS (Postponed Indefinitely)	499.
H 1291	FOOD STAMP FELONY FRAUD (Senate)	81, 146, 162, 173.
H 843	MEDICAID BED-HOLDING (Postponed Indefinitely)	421, 479.
H 1107	OPERATION PRIDE (Postponed Indefinitely)	24, 365.
H 379	REPEAL CERTAIN ASSET TRANSFER PENALTIES (Postponed Indefinitely)	421, 471.
H 35	TAX RELIEF/COMPETITIVENESS (Postponed Indefinitely)	502.
H 104	TAXPAYER'S RIGHTS AMENDMENTS (Postponed Indefinitely)	512.

SOLICITATION OF CONTRIBUTIONS (G.S. 131F)

H 1166	NONPROFITS DISCLOSURE/ACCOUNTABILITY (Ratified Ch.0748)	38, 53, 75, 98, 541, 556, 563.
S 838	SOLICITATIONS ACT/EXEMPTION (Ratified Ch.0650)	68, 403, 458, 520.

SOLID WASTE MANAGEMENT LOAN PROGRAM, NORTH CAROLINA (G.S. 159I)

- H 1341 DEPARTMENT OF ENVIRONMENT, HEALTH, AND
NATURAL RESOURCES RESTRUCTURING
(Calendar Pursuant Rule 36(a))
(S 1328) 103, 345, 549.
- S 1328 DEPARTMENT OF ENVIRONMENT, HEALTH, AND
NATURAL RESOURCES RESTRUCTURING
(Ratified Ch.0743) (H 1341) 183, 234, 549, 562.
- S 1301 GENERAL STATUTES TECHNICAL BILL
(Ratified Ch.0742) 353, 397, 523, 562.

SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT (G.S. 104F)

- H 934 ENVIRONMENT CLARIFYING/CONFORMING/
TECHNICAL CORRECTIONS
(Ratified Ch.0728) 535, 547, 560.

STANLY COUNTY

- S 580 ALBEMARLE STREET ASSESSMENTS
(Ratified Ch.0655) 309, 340, 375, 446, 521.
- S 1389 ALBEMARLE DEANNEXATION
(Ratified Ch.0660) 348, 354, 358, 375, 447, 522.
- S 375 ENLARGE STANLY ECONOMIC DEVELOPMENT
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- S 600 STANLY COMMISSIONERS STAGGERED TERMS
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- H 1372 STANLY CONVEYANCE/BRUNSWICK INDEX
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412, 439, 509.
- H 614 STANLY COUNTY LOCAL ACT
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- S 1360 STANLY LAND CONVEYANCE
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STATE ART MUSEUM; SYMPHONY AND ART SOCIETIES (G.S. 140)

- H 1169 ABOLISH BOARDS AND COMMISSIONS
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H	376	1995 RETIREMENT BENEFITS ACT (Postponed Indefinitely)	471.
H	1346	ADMINISTRATIVE SEARCH WARRANTS/ WHEN SERVED (Calendar Pursuant Rule 36(a)) (S 1308)	103, 309, 345.
S	1308	ADMINISTRATIVE SEARCH WARRANTS/ WHEN SERVED (Judiciary I) (H 1346)	319.
H	76	AFRICAN-AMERICAN HERITAGE COMMITTEE (Postponed Indefinitely)	279.
H	1170	AGENCY PRINTING (Calendar Pursuant Rule 36(a)) (S 1182)	39, 164.
S	1182	AGENCY PRINTING (Rules, Calendar & Operations of the House) (H 1170)	353.
H	1317	AMEND ENVIRONMENTAL MANAGEMENT COMMISSION FEE AUTHORITY (Postponed Indefinitely)	92, 506.
H	1227	ANIMAL WASTE COMMISSION RECOMMENDATIONS (Postponed Indefinitely) (S 1217)	58, 180, 505.
S	1217	ANIMAL WASTE RECOMMENDATIONS (Ratified Ch.0626) (H 1227)	353, 359, 401, 436.
H	1204	ASSAULT LAW OFFICER/FIREFIGHTER (Senate)	48, 315, 393.
H	1312	AUTHORIZE MEDICAL SAVINGS ACCOUNTS (Postponed Indefinitely)	91, 309, 506, 508.
H	1283	BUDGET ADJUSTMENTS/CONFORMING (Rules, Calendar & Operations of the House)	80.
H	1226	BUDGET/PUBLIC LAWS (Rules, Calendar & Operations of the House)	57.
H	1316	CHILD FATALITY TASK FORCE CONFIDENTIAL RECORDS CHANGE (Senate)	92, 250, 386.
H	1294	CHILD FATALITY TASK FORCE DATA REPORT (Senate)	82, 236, 304.
H	1315	CHILD FATALITY TASK FORCE EXTENSION (Rules, Calendar & Operations of the House)	92.
H	1171	CONFIRMATION/APPOINTMENTS (Senate)	39, 132, 173, 188.
H	430	COSTS/VICTIMS ASSISTANTS (Postponed Indefinitely)	473.
H	179	CREDIT INTEREST TO RESERVE FUNDS (Postponed Indefinitely)	502.

STATE DEPARTMENTS, INSTITUTIONS**AND COMMISSIONS (G.S. 143)-Contd.**

H	1341	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Calendar Pursuant Rule 36(a)) (S 1328)	103, 345, 549.
S	1328	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Ratified Ch.0743) (H 1341)	183, 234, 549, 562.
H	934	ENVIRONMENT CLARIFYING/CONFORMING/ TECHNICAL CORRECTIONS (Ratified Ch.0728)	535, 547, 560.
H	1049	ENVIRONMENTAL PROTECTION IMPROVEMENTS (Postponed Indefinitely)	346.
H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	573	LAW ENFORCEMENT TO CRIME CONTROL AND PUBLIC SAFETY (Postponed Indefinitely) ..	424, 475.
H	964	LOCAL INFRASTRUCTURE TRUST FUND (Postponed Indefinitely)	504.
H	1041	MODEL PLANS FOR PUBLIC SCHOOLS (Postponed Indefinitely)	418, 485.
S	1273	NO DIVISION OF MOTOR VEHICLES COMMISSIONER POSITION (Calendar Pursuant Rule 36(a))	536, 543.
H	1166	NONPROFITS DISCLOSURE/ACCOUNTABILITY (Ratified Ch.0748)	38, 53, 75, 98, 541, 556, 563.
H	785	OPEN MEETINGS/GENERAL ASSEMBLY (Postponed Indefinitely)	341.
H	40	PROTECT CITIZENS FROM VIOLENCE (Postponed Indefinitely)	498.
H	1225	PUBLIC LAWS/BUDGET (Rules, Calendar & Operations of the House)	57.
H	880	QUALIFIED ENVIRONMENTAL PROFESSIONAL (Postponed Indefinitely)	346.
H	1216	REFUND ILLEGAL TAXES (Finance)	50.
H	1079	REPEAL STATE FOOD TAX/FREEZE HIRING (Senate)	15, 18, 40, 51.
H	191	REQUIRE FISCAL NOTE/SUBJECT MATTER NOTICE (Postponed Indefinitely)	466.
H	1364	RESIDENTIAL BUILDING CODE RULES REVIEW (Rules, Calendar & Operations of the House)	107.

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AND COMMISSIONS (G.S. 143)-Contd.**

- H 1064 RESTORE TAX BURDEN ON WEALTHY
(Rules, Calendar & Operations of the House) 308.
- H 1322 SALARY CONTINUATION IN DEPARTMENT OF
CORRECTION (Postponed Indefinitely) 93, 491.
- H 1104 SCHOOL FACILITIES TRUST FUND
(Calendar Pursuant Rule 36(a)) 23, 193, 233.
- H 475 SMALL BUSINESS CAPITAL AND GROWTH ACT
(Postponed Indefinitely) 503.
- H 1447 SMALL BUSINESS PROCUREMENT ACT
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- H 859 SOLID WASTE AMENDMENTS
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- H 1155 STATE BUILDING EVACUATION
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- H 184 STATE EMPLOYEE LIABILITY TRUST FUND
(Postponed Indefinitely) 418, 466.
- H 1029 UNDERGROUND STORAGE TANK AMENDMENTS
(Postponed Indefinitely) 484.
- H 1350 UNDERGROUND STORAGE TANK AMENDMENTS
(Finance) (S 1317) 104, 132.
- S 1317 UNDERGROUND STORAGE TANK AMENDMENTS
(Ratified Ch.0648) (H 1350) . . . 218, 358, 384, 456, 511.
- H 1351 WELL AND PUMP CONTRACTORS
(Finance) 105, 132.

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- H 1169 ABOLISH BOARDS AND COMMISSIONS
(Senate) 39, 355, 394.
- H 1171 CONFIRMATION/APPOINTMENTS
(Senate) 39, 132, 173, 188.
- H 1341 DEPARTMENT OF ENVIRONMENT, HEALTH, AND
NATURAL RESOURCES RESTRUCTURING
(Calendar Pursuant Rule 36(a))
(S 1328) 103, 345, 549.

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S	1328	DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES RESTRUCTURING (Ratified Ch.0743) (H 1341)	183, 234, 549, 562.
S	488	DIVISION OF MOTOR VEHICLES/ BUSINESS LICENSE INFORMATION (Calendar Pursuant Rule 36(a))	340.
H	392	GOVERNOR'S '95 OPERATING APPROPRIATIONS (Postponed Indefinitely)	472.
H	573	LAW ENFORCEMENT TO CRIME CONTROL AND PUBLIC SAFETY (Postponed Indefinitely) . .	424, 475.
H	964	LOCAL INFRASTRUCTURE TRUST FUND (Postponed Indefinitely)	504.
H	838	LOTTERY FOR SCHOOL BUILDINGS (Postponed Indefinitely)	501.
S	1273	NO DIVISION OF MOTOR VEHICLES COMMISSIONER POSITION (Calendar Pursuant Rule 36(a))	536, 543.
H	1107	OPERATION PRIDE (Postponed Indefinitely)	24, 365.
H	1072	PEMBROKE STATE UNIVERSITY NAME CHANGE (Ratified Ch.0603) (S 1118)	14, 52, 60, 433.
S	1118	PEMBROKE STATE UNIVERSITY NAME CHANGE (Rules, Calendar & Operations of the House) (H 1072)	51.
H	23	REPEAL SOUTH AFRICA RESTRICTIONS (Postponed Indefinitely) (H 66)	512.
H	66	REPEAL SOUTH AFRICA RESTRICTIONS (Postponed Indefinitely) (H 23)	512.
H	475	SMALL BUSINESS CAPITAL AND GROWTH ACT (Postponed Indefinitely)	503.
H	184	STATE EMPLOYEE LIABILITY TRUST FUND (Postponed Indefinitely)	418, 466.
H	35	TAX RELIEF/COMPETITIVENESS (Postponed Indefinitely)	502.

STATE PERSONNEL SYSTEM (G.S. 126)

S	709	ALLOW CONSOLIDATED HUMAN SERVICES (Ratified Ch.0690)	66, 77, 205, 229, 274, 335, 379, 553.
H	1171	CONFIRMATION/APPOINTMENTS (Senate)	39, 132, 173, 188.

STATE PERSONNEL SYSTEM (G.S. 126)-Contd.

- H 1148 DECENTRALIZE SOME OFFICE OF STATE
PERSONNEL FUNCTIONS (Senate) . . . 34, 182, 385.
- H 1220 PERSONNEL DIRECTOR QUALIFICATIONS
(Senate) 56, 129, 161.
- H 953 STATE EMPLOYEE REDUCTIONS IN FORCE
RIGHTS/OPTIONS (Postponed Indefinitely) . . . 480.
- H 772 STATE HEALTH PLAN MODIFICATIONS
(Postponed Indefinitely) 477.
- H 925 STATE PERSONNEL ACT EMPLOYEE PAY RAISE
(Postponed Indefinitely) 479.
- H 1139 STATE PERSONNEL GRIEVANCE PROCEDURE
(Senate) 32, 234, 270, 386, 388, 395.
- H 234 SUPPLEMENT/YOUTH SERVICE TEACHERS
(Postponed Indefinitely) 420, 467.

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TEACHERS AND STATE EMPLOYEES; SOCIAL SECURITY****STATEWIDE APPROPRIATIONS - see APPROPRIATIONS, PUBLIC****STATUTORY LIENS AND CHARGES (G.S. 44A) - also see LIENS**

- H 1280 CHILD SUPPORT LIEN
(Ratified Ch.0674) 79, 99, 147, 184, 545.
- H 1268 EXPEDITE TOWED VEHICLE DISPOSAL
(Ratified Ch.0635) 71, 181, 210, 411, 441, 510.
- H 1164 MOLD LIEN ACT
(Ratified Ch.0744) . . 37, 129, 157, 201, 552, 556, 562.
- H 853 MOTOR VEHICLE TOWING MODIFICATIONS
(Postponed Indefinitely) 479.
- S 1273 NO DIVISION OF MOTOR VEHICLES
COMMISSIONER POSITION
(Calendar Pursuant Rule 36(a)) 536, 543.
- H 1163 RENTAL EQUIPMENT LIENS
(Ratified Ch.0607) 37, 129, 157, 201, 434.

STOKES COUNTY

- H 1378 DANBURY VALIDATION
(Senate) 123, 260, 344, 371, 442.
- S 1173 SNOW DAYS OFFSET FOR CERTAIN SCHOOLS
(Ratified Ch.0662) 168, 204, 221, 238,
310, 338, 389, 410, 438, 522.

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H	745	AGING COMMISSION TO STUDY DOMICILIARY HOME/NURSING HOME PENALTIES (Postponed Indefinitely)	285.
S	695	AGRICULTURE WASTE COMMISSION (Postponed Indefinitely)	496.
H	524	AGRICULTURE WASTE STUDY (Postponed Indefinitely)	282.
H	180	ALTERNATIVE LEARNING PROGRAMS (Postponed Indefinitely)	414, 466.
H	1227	ANIMAL WASTE COMMISSION RECOMMENDATIONS (Postponed Indefinitely) (S 1217)	58, 180, 505.
S	1217	ANIMAL WASTE RECOMMENDATIONS (Ratified Ch.0626) (H 1227)	353, 359, 401, 436.
H	132	CEMETERY COMMISSION LEGISLATIVE RESEARCH COMMISSION STUDY (Postponed Indefinitely)	280.
H	1365	COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM STUDY (Rules, Calendar & Operations of the House)	114.
H	196	CONSUMER STUDY COMMISSION (Postponed Indefinitely)	280.
H	215	CREATE STATE PERSONNEL STUDY (Postponed Indefinitely)	280.
H	1000	DEAF SCHOOL CHANGES/FUNDS (Postponed Indefinitely)	482.
H	42	EDUCATION IMPROVEMENT ACT (Postponed Indefinitely)	413, 464.
H	1248	EDUCATION OF GIFTED STUDENTS (Education) (S 1207)	64.
S	1207	EDUCATION OF GIFTED STUDENTS (Education) (H 1248)	169.
H	25	ELECTION LAWS REVIEW (Postponed Indefinitely)	497.
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JOURNAL
OF THE
House of Representatives
OF THE
1995
GENERAL ASSEMBLY
OF THE
STATE OF NORTH CAROLINA
SECOND
EXTRA SESSION 1996



OFFICERS AND MEMBERS

OF THE

HOUSE OF REPRESENTATIVES

SECOND EXTRA SESSION 1996

Harold J. Brubaker, *Speaker*.....Asheboro, Randolph County
Carolyn B. Russell, *Speaker Pro Tempore*.....Goldsboro, Wayne County
Denise G. Weeks, *Principal Clerk*.....Willow Springs, Wake County
Clyde Cook, Jr., *Sergeant-at-Arms*.....Garner, Wake County

REPRESENTATIVES

1st District: (1) Camden, Currituck, Pasquotank, Perquimans (Part).
W.C. "Bill" Owens, Jr. (D) Pasquotank Elizabeth City

2nd District: (1) Beaufort, Craven (Part), Hyde, Pitt (Part).
Zeno L. Edwards, Jr. (R) Beaufort Washington

3rd District: (1) Craven (Part), Pamlico (Part).
John M. Nichols (R) Craven New Bern

4th District: (2) Carteret, Onslow (Part).
Jean R. Preston (R) Carteret Emerald Isle
M. Jonathan Robinson (R) Carteret Stacy

5th District: (1) Bertie (Part), Gates, Hertford (Part), Northampton.
Howard J. Hunter, Jr. (D) Northampton ... Conway

6th District: (1) Bertie (Part), Hertford (Part), Martin (Part),
Pitt (Part), Washington (Part).
Richard Eugene Rogers (D) Martin Williamston

7th District: (1) Edgecombe (Part), Halifax (Part), Martin (Part), Nash (Part).
L. W. Locke (D) Halifax Enfield

8th District: (1) Edgecombe (Part), Greene (Part), Martin (Part), Pitt (Part).
Linwood E. Mercer (D) Pitt Farmville

9th District: (1) Greene (Part), Pitt (Part).
M. W. Aldridge (R) Pitt Greenville

10th District: (1) Duplin (Part), Jones (Part), Onslow (Part).
Cynthia B. Watson (R) Duplin Rose Hill

11th District: (1) Lenoir (Part), Wayne (Part).

Louis M. Pate, Jr. (R) Wayne Mount Olive

12th District: (1) Onslow (Part), Pender (Part), Sampson (Part).

Edward C. Bowen (D) Sampson Harrells

13th District: (1) New Hanover (Part).

Dan McComas (R) New Hanover ... Wilmington

14th District: (2) Brunswick (Part), Columbus (Part), New Hanover (Part),
Robeson (Part).

Dewey L. Hill (D) Columbus Whiteville

E. David Redwine (D) Brunswick Shallotte

15th District: (1) Wake (Part).

Sam Ellis (R) Wake Raleigh

16th District: (1) Cumberland (Part), Hoke (Part), Moore (Part),
Robeson (Part), Scotland (Part).

Douglas Y. Yongue (D) Scotland Laurinburg

17th District: (2) Cumberland (Part).

Mary E. McAllister (D) Cumberland Fayetteville

Larry Shaw (D) Cumberland Fayetteville

18th District: (2) Cumberland (Part).

John W. (Bill) Hurley (D) Cumberland Fayetteville

Billy Richardson (D) Cumberland ... Fayetteville

19th District: (2) Harnett, Lee, Sampson (Part).

C. P. Stewart (D) Harnett Buies Creek

Donald Davis (R) Harnett Erwin

20th District: (1) Franklin (Part), Johnston (Part), Nash (Part).

Billy J. Creech (R) Johnston Clayton

21st District: (1) Wake (Part).

Daniel T. Blue, Jr. (D) Wake Raleigh

22nd District: (2) Franklin (Part), Granville (Part), Halifax (Part), Person,
Vance (Part), Warren (Part).

Jim Crawford (D) Granville Oxford

Michael S. Wilkins (D) Person Roxboro

23rd District: (3) Durham (Part).

Paul Luebke (D) Durham Durham

H. M. Michaux, Jr. (D) Durham Durham

George W. Miller, Jr. (D) Durham Durham

24th District: (2) Chatham (Part), Orange (Part).

Anne C. Barnes (D) Orange Chapel Hill

Joe Hackney (D) Orange Chapel Hill

25th District: (3) Alamance, Caswell, Orange (Part), Rockingham (Part).

Cary D. Allred (R) Alamance Burlington

Ken Miller (R) Alamance Mebane

Dennis Reynolds (R) Alamance Burlington

26th District: (1) Guilford (Part).

Alma Adams (D) Guilford Greensboro

27th District: (1) Davidson (Part), Guilford (Part).

Steve Wood (R) Guilford High Point

28th District: (1) Guilford (Part).

Flossie Boyd-McIntyre (D) Guilford Jamestown

29th District: (1) Guilford (Part).

Joanne W. Bowie (R) Guilford Greensboro

30th District: (1) Chatham (Part), Guilford (Part), Randolph (Part).

Arlie F. Culp (R) Randolph Ramseur

31st District: (1) Moore (Part).

Richard T. Morgan (R) Moore Pinehurst

32nd District: (1) Montgomery (Part), Richmond, Scotland (Part).

Hugh A. Lee (D) Richmond Rockingham

33rd District: (1) Anson, Montgomery (Part), Stanly (Part).

Foyle Hightower, Jr. (D) Anson Wadesboro

34th District: (1) Union (Part).

Fern Shubert (R) Union Marshville

35th District: (1) Rowan (Part).

Charlotte A. Gardner (R) Rowan Salisbury

36th District: (1) Mecklenburg (Part).

Jim Black (D) Mecklenburg Matthews

37th District: (1) Davidson (Part).

Paul R. McCrary (D) Davidson Lexington

38th District: (1) Guilford (Part), Randolph (Part).

Harold J. Brubaker (R) Randolph Asheboro

39th District: (1) Forsyth (Part).

Lyons Gray (R)	Forsyth	Winston-Salem
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40th District: (3) Alleghany, Ashe, Stokes, Surry, Watauga.

Rex L. Baker (R)	Stokes	King
William S. (Bill) Hiatt (R)	.....	Surry	.....	Mt. Airy
Gene Wilson (R)	.....	Watauga	.....	Boone

41st District: (2) Alexander (Part), Wilkes, Yadkin.

John W. Brown (R)	.....	Wilkes	.....	Elkin
George M. Holmes (R)	Yadkin	Hamptonville

42nd District: (1) Iredell (Part).

Frank Mitchell (R)	Iredell	Olin
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43rd District: (1) Catawba (Part), Iredell (Part).

C. Robert Brawley (R)	Iredell	Mooreville
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44th District: (1) Gaston (Part), Lincoln (Part).

John R. Gamble, Jr. (D)	Lincoln	Lincolnton
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45th District: (2) Catawba (Part), Gaston (Part), Lincoln (Part).

Cherie Killian Berry (R)	Catawba	Newton
Joe L. Kiser (R)	.....	Lincoln	.....	Vale

46th District: (2) Avery, Burke (Part), Caldwell (Part), Catawba (Part), Mitchell.

Charles F. Buchanan (R)	.....	Mitchell	.....	Green Mountain
Gregg Thompson (R)	Mitchell	Spruce Pine

47th District: (1) Burke (Part).

Walter G. Church, Sr. (D)	Burke	Valdese
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48th District: (3) Cleveland, Gaston (Part), Polk (Part), Rutherford.

Jack Hunt (D)	Cleveland	Shelby
Debbie A. Clary (R)	.....	Cleveland	.....	Shelby
John Weatherly (R)	.....	Cleveland	.....	Kings Mountain

49th District: (1) Burke (Part), McDowell, Yancey.

Robert C. (Bob) Hunter (D)	McDowell	Marion
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50th District: (1) Henderson (Part), Polk (Part).

Larry T. Justus (R)	Henderson	Hendersonville
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51st District: (3) Buncombe (Part).

Lanier Cansler (R)	Buncombe	Asheville
Larry R. Linney (R)	Buncombe	Asheville
Wilma Sherrill (R)	.....	Buncombe	.....	Asheville

52nd District: (2) Graham, Haywood, Jackson (Part), Madison, Swain.
 Charles M. Beall (D) Haywood Clyde
 Liston B. Ramsey (D) Madison Marshall

53rd District: (1) Cherokee, Clay, Jackson (Part), Macon.
 James C. Carpenter (R) Macon Otto

54th District: (1) Mecklenburg (Part).
 John B. McLaughlin (D) Mecklenburg Newell

55th District: (1) Mecklenburg (Part).
 W. Edwin McMahan (R) Mecklenburg Charlotte

56th District: (1) Mecklenburg (Part).
 Martha Alexander (D) Mecklenburg Charlotte

57th District: (1) Mecklenburg (Part).
 Connie Wilson (R) Mecklenburg Charlotte

58th District: (1) Mecklenburg (Part).
 Ruth M. Easterling (D) Mecklenburg Charlotte

59th District: (1) Mecklenburg (Part).
 W. Pete Cunningham (D) Mecklenburg Charlotte

60th District: (1) Mecklenburg (Part).
 Beverly Earle (D) Mecklenburg Charlotte

61st District: (1) Wake (Part).
 Charles B. Neely, Jr. (R) Wake Raleigh

62nd District: (1) Wake (Part).
 David Miner (R) Wake Cary

63rd District: (1) Durham (Part), Wake (Part).
 Arlene Pulley (R) Wake Raleigh

64th District: (1) Wake (Part).
 Bob Hensley (D) Wake Raleigh

65th District: (1) Wake (Part).
 Rick Eddins (R) Wake Raleigh

66th District: (1) Forsyth (Part).
 Larry W. Womble (D) Forsyth Winston-Salem

67th District: (1) Forsyth (Part).
 Warren C. Oldham (D) Forsyth Winston-Salem

- 68th District: (1) Buncombe (Part), Henderson (Part), Transylvania.
W. M. (Bill) Ives (R) Transylvania Brevard
- 69th District: (1) Mecklenburg (Part).
J. Shawn Lemmond (R) Mecklenburg Matthews
- 70th District: (1) Edgecombe (Part), Nash (Part), Wilson (Part).
Milton F. Fitch, Jr. (D). Wilson Wilson
- 71st District: (1) Edgecombe (Part), Nash (Part), Pitt (Part), Wilson (Part).
Norris Tolson (D) Edgecombe Pinetops
- 72nd District: (1) Nash (Part), Wilson (Part).
Gene Arnold (R) Nash Rocky Mount
- 73rd District: (1) Forsyth (Part), Rockingham (Part).
P. Wayne Sexton (R) Rockingham Stoneville
- 74th District: (1) Davidson (Part), Davie.
Julia Craven Howard (R) Davie Mocksville
- 75th District: (1) Cumberland (Part).
Alex Warner (D) Cumberland Hope Mills
- 76th District: (1) Gaston (Part), Mecklenburg (Part).
W. W. Dickson (R) Gaston Gastonia
- 77th District: (1) Greene (Part), Lenoir (Part), Wayne (Part).
Carolyn B. Russell (R) Wayne Goldsboro
- 78th District: (1) Granville (Part), Vance (Part), Warren (Part).
Stan Fox (D) Granville Oxford
- 79th District: (1) Craven (Part), Jones (Part), Lenoir (Part), Pamlico (Part).
William L. Wainwright (D) Craven Havelock
- 80th District: (1) Onslow (Part).
Robert Grady (R) Onslow Jacksonville
- 81st District: (1) Cabarrus (Part), Union (Part).
Timothy N. Tallent (R) Cabarrus Concord
- 82nd District: (1) Cabarrus (Part), Stanly (Part), Union (Part).
Bobby H. Barbee, Sr. (R) Stanly Locust
- 83rd District: (1) Rowan (Part).
Eugene McCombs (R) Rowan Faith

84th District: (1) Forsyth (Part), Guilford (Part).

Michael (Mike) Decker (R) Forsyth Walkertown

85th District: (1) Hoke (Part), Robeson (Part).

Ronnie Sutton (D) Robeson Pembroke

86th District: (1) Chowan, Dare, Perquimans (Part), Tyrrell, Washington (Part).

William T. Culpepper, III (D) Chowan Edenton

87th District: (1) Hoke (Part), Robeson (Part), Scotland (Part).

Frances M. Cummings (R) Robeson Lumberton

88th District: (1) Forsyth (Part).

Theresa H. Esposito (R) Forsyth Winston-Salem

89th District: (2) Guilford (Part).

John A. Cocklereece (R) Guilford Greensboro

Joanne Sharpe (R) Guilford Greensboro

90th District: (1) Cabarrus (Part).

Robert C. Hayes (R) Cabarrus Concord

91st District: (1) Alexander (Part), Caldwell (Part), Catawba (Part).

George S. Robinson (R) Caldwell Lenoir

92nd District: (1) Durham (Part), Wake (Part).

J. Russell Capps (R) Wake Raleigh

93rd District: (1) Gaston (Part), Mecklenburg (Part).

John Rayfield (R) Gaston Belmont

94th District: (1) Davidson (Part), Randolph (Part).

Jerry C. Dockham (R) Davidson Denton

95th District: (1) Johnston (Part).

Leo Daughtry (R) Johnston Smithfield

96th District: (1) Bladen, Cumberland (Part), New Hanover (Part),
Pender (Part), Sampson (Part).

Edd Nye (D) Bladen Elizabethtown

97th District: (1) Duplin (Part), Sampson (Part), Wayne (Part).

Jerry Braswell (D) Wayne Goldsboro

98th District: (1) Brunswick (Part), Columbus (Part), New Hanover (Part),
Pender (Part).

Thomas E. Wright (D) New Hanover Wilmington

HOUSE JOURNAL

SECOND EXTRA SESSION 1996

FIRST DAY

HOUSE OF REPRESENTATIVES

Monday, July 8, 1996

Pursuant to a call of his Excellency, Governor James B. Hunt, Jr., hereinafter recorded, the House of Representatives of the General Assembly of North Carolina convenes in its Hall in Extra Session, at the hour of one o'clock, Monday, July 8, 1996, and is called to order by the Speaker of the House, Harold J. Brubaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, thank You for life and for all the capacities of experience that You have given us to go with it. Thank You for the Fourth of July, and for what it still means to most of us. From the celebration on the Capitol Square in Washington to dancing in the park with the Boston Pops, to the fireworks at the State Fairgrounds, to our own family pyrotechnic display in the front yard. America is still alive and we still feel a lump in our throat as we see the flag drill, hear the music and see the pictures of vets flashed on the screen in our Church. I feel strong, young, and free again as I eat barbecue and listen to a country band at the Old Thresher's Reunion at Denton. Americana unfolds in the old farm equipment, machinery, and gadgets. I cheer at the tractor pull for an old John Deere G which won it's class. And, when they bring out the teams of Belgium and Percheron, I lean and lurch with my favorite team, and think about the legislature, and the job ahead and wonder if we might ever pull together like the team that won. Father, the Governor has called us back to work. He and his folks want the job done one way and there are a lot of folks who feel that the job ought to be done another way. And so, in good old American tradition, we are going to see if we can thrash this thing out and come up with something that might work. We'll try to defend our party's position, and our own personal integrity, and try to get ourselves into the best possible position for November. In Greek drama, a god was never introduced into a play unless the situation demanded it. Father, I think that we are about at that point. And so, please guide and bless these good

people as they come back to Raleigh, and may the end result be the best result for our people and for our state. Through Christ our Lord we pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

The Reading Clerk reads the following Proclamation by the Governor:

STATE OF NORTH CAROLINA PROCLAMATION

WHEREAS, the 1995 Regular Session of the General Assembly adjourned sine die on June 21, 1996; and

WHEREAS, in that legislative session, the General Assembly did not enact a revised budget for the 1996-97 fiscal year, and left issues critical to the future of North Carolina unresolved; and

WHEREAS, because the General Assembly enacted no budget adjustments for the 1996-97 fiscal year, it failed to take steps to recruit and retain the best teachers in public schools and in the state's universities and community colleges; and to reduce class size and put uniformed officers in every high school; and to provide the resources needed to meet increasing enrollment in our public schools; and

WHEREAS, the lack of a revised budget leaves other critical issues unaddressed, such as the state's ability to enforce new regulations on swine operations and the ability to fight crime effectively by housing dangerous criminals; and

WHEREAS, because the General Assembly did not enact tax credits to stimulate new and expanded investment, job creation, worker training and research and development, North Carolina's economic prosperity is threatened, and lack of tax relief to business and consumers will erode economic security; and

WHEREAS, it is important for the state to enact a balanced budget that cuts taxes, keeps \$600 million in savings and addresses needs in education and the environment; and

WHEREAS, I have sought and received the advice of the Council of State on this matter and I find that the adjournment sine die of the 1995 Regular Session of the General Assembly without taking the steps needed to protect and improve the quality of education in our State and to otherwise promote the

general welfare of the people to be an extraordinary occasion; and

WHEREAS, I have also discussed the circumstances with the Lieutenant Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives and they are of the same view;

NOW, THEREFORE, I, James B. Hunt, Jr., Governor of the State of North Carolina, pursuant to the authority granted to me by Article III, Sec. 5(7) of the Constitution of North Carolina, find that the circumstances stated above constitute an extraordinary occasion within the meaning of Article III, Sec. 5(7) of the Constitution of North Carolina and PROCLAIM that the General Assembly is hereby convened in an extra session for the purpose of considering budget and tax issues.

This extra session shall begin the 8th of July 1996 at 1:00 p.m. and shall continue as provided by law and the rules of each House until both Houses shall have adjourned sine die.

Done in Raleigh, North Carolina, this the 3rd day of July, 1996.

S/ James B. Hunt, Jr.
Governor

**THE RECEIVING OF PETITIONS, MEMORIALS AND
PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR
TO THE HOUSE**

STATE OF NORTH CAROLINA

**THE APPOINTMENT OF CLARENCE P. STEWART
1996**

**BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA
A PROCLAMATION**

WHEREAS, the Honorable Willis D. Brown, elected Representative from the Nineteenth District 1995 General Assembly, has resigned his office; and

WHEREAS, the provisions of General Statutes 163-11 require that the vacancy created by the resignation of the Honorable Willis D. Brown, be filled by appointment of the person recommended by the Nineteenth House District Executive Committee of the Democratic Party; and

WHEREAS, the Nineteenth House District Executive Committee of the

Democratic Party has notified me of its recommendation of Clarence P. Stewart of Harnett County, North Carolina, to fill said vacancy,

I do by these presents appoint

CLARENCE P. STEWART

as a member of the

HOUSE OF REPRESENTATIVES

1995 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State at the Capitol in the City of Raleigh, this 8th day of July in the year of our Lord, One Thousand Nine Hundred Ninety-Six.

S/ James B. Hunt Jr.

Governor of North Carolina

S/ Janice H. Faulkner

Secretary of State

The Speaker administers the following oath of office, pursuant to G.S. 120-5, to Mr. Stewart.

**OATH FOR MEMBERS OF THE
HOUSE OF REPRESENTATIVES
1995 SESSION**

I, Clarence P. Stewart, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States; so help me God; and

I do solemnly and sincerely swear (or affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and

I do swear (or affirm) that I will faithfully discharge the duties of the office of a Member of the 1995 House of Representatives according to the best of my skill and ability, according to law; so help me God.

S/ Clarence P. Stewart

QUORUM CALL

In order to establish a quorum, the Speaker directs an electronic call of the roll of the members of the House and the following Representatives are recorded as present:

Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Linney, Locke, Luebke, McComas, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wright, and Yongue - 114.

Leaves of absence are granted Representatives Clary, McAllister, and K. Miller for today.

The Speaker declares a quorum present.

Representative Morgan is recognized and he states that he has placed a resolution with the Clerk for consideration by the Body.

The Speaker directs the Clerk to number the resolution and places **H.R. 1, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 1996 SECOND EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES**, before the Body.

Representative Luebke offers Amendment No. 1 which fails of adoption by electronic vote (48-65).

Representative Morgan offers Amendment No. 2 which is adopted by electronic vote (111-3).

Representative Morgan calls the previous question on the adoption of the resolution and the call is sustained by electronic vote (65-49).

The resolution, as amended, is adopted by electronic vote (68-46), and ordered engrossed and printed.

COMMITTEE APPOINTMENTS

The Speaker announces that the Standing Committees on Appropriations, Finance, Pensions and Retirement, and Rules, Calendar, and Operations of the House of the 1995 Regular Session remain in effect for the 1996 Second Extra Session with the following change in membership:

Representative Stewart is appointed to the Committee on Finance.

The Chair authorizes the following select committees to meet while the House is convened in Extra Session:

Executive Compliance

Congressional Redistricting

Personnel Review

The membership of the select committees remain in effect for the 1996 Second Extra Session with the following change in membership:

Representative Arnold is appointed to the Select Committee on Executive Compliance.

MESSAGE TO THE SENATE

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House of Representatives is organized and ready to proceed with public business.

SPECIAL MESSAGE FROM THE SENATE

SECOND EXTRAORDINARY SESSION

1995 GENERAL ASSEMBLY

SENATE CHAMBER

July 8, 1996

Mr. Speaker:

It is ordered that a message be sent the House of Representatives

informing that Honorable Body that the Senate is convened, pursuant to the Proclamation issued by Governor James B. Hunt, Jr., on July 3, 1996, and is now organized and ready to proceed with the public business of the State in this Second Extraordinary Session.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

INTRODUCTION OF PAGES

Pages for the week of July 8-12 are introduced to the Membership. They are: Jennifer Allison Allen of Onslow; Holly Kristen Allison of Anson; Kathleen K. Brothers of Wake; Jamie Lynn Burke of Wake; Ryan Burton of Iredell; Brandi Lanette Cotton of Guilford; David William Franks of Buncombe; Javona Gardner of Lenoir; Heather Marie Gertsch of Wake; John Arthur Mandeville, Jr. of Wake; Adam Fisher McCombs of Wake; Amanda Neely of Wake; Katherine Elizabeth Nelson of Buncombe; Susannah L. Parker of Duplin; Kaleb John Redden of Iredell; Daniel MacQuarrie Reeves of Wake; Elizabeth W. Smith of Wake; Sarah C. Smith of Mecklenburg; Laura Aileen Suther of Iredell; and Maxine Renee' Taylor of Wayne.

On motion of the Chair, the House recesses at 2:22 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Decker:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nichols and Wainwright:

H.B. 3, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE

CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Crawford, Fox, and Wilkins:

H.B. 4, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Mitchell and Brawley:

H.B. 5, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 6, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred, Aldridge, Baker, Cansler, Capps, Carpenter, Cocklereece, Culp, Davis, Decker, Eddins, Ellis, H. Hunter, Ives, Linney, McComas, McMahan, G. Miller, Nichols, Preston, Pulley, Rayfield, Reynolds, J. Robinson, Sexton, Sharpe, and G. Wilson:

H.B. 7, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS AND TO REIMBURSE COUNTIES AND CITIES FOR THE RESULTING REVENUE LOSS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Neely, Capps, Cansler, Daughtry, Ives, and G. Miller:

H.B. 8, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE

UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, AND PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Aldridge:

H.B. 9, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO COMPLETE THE EXPANSION OF THE DOWDY-FICKLEN STADIUM AT EAST CAROLINA UNIVERSITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McComas and H. Hunter:

H.B. 10, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAROLINA BEACH AREA SOUTH PROJECT AT KURE BEACH FOR BEACH RENOURISHMENT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative McComas:

H.B. 11, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPE FEAR RIVER PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives McCombs, Ives, and G. Miller:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO MAKE COST-OF-LIVING ADJUSTMENTS IN STATE AND LOCAL RETIREMENT SYSTEMS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Daughtry and G. Miller:

H.B. 13, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF SUPERIOR COURT JUDGES BY JUDICIAL DISTRICT IN

1996 AND A LEGISLATIVE STUDY OF THAT ISSUE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Preston and J. Robinson:

H.B. 14, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Pate:

H.B. 15, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative J. Brown:

H.B. 16, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN ESTABLISHING AND SUPPORTING AN ASSISTANT COUNTY FOREST RANGER IN WILKES COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Baker:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gray and G. Miller:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS, SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE

WAGES PAID DUE TO PLANT CLOSING, EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS, AND EXEMPT FROM SALES TAX VITAMINS USED BY CHIROPRACTORS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Nye and Wright:

H.B. 19, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Creech:

H.B. 20, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Rayfield:

H.B. 21, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL EXPENDITURES AT THE CENTER FOR APPLIED TEXTILE TECHNOLOGY, is referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRALS

On motion of Representative Morgan, pursuant to Rule 39.2, **H.B. 12**, A BILL TO BE ENTITLED AN ACT TO MAKE COST-OF-LIVING ADJUSTMENTS IN STATE AND LOCAL RETIREMENT SYSTEMS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Pensions and Retirement.

On motion of Representative Morgan, pursuant to Rule 39.2, **H.B. 18**, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF

BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS, SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE WAGES PAID DUE TO PLANT CLOSING, EXPAND THE PROPERTY TAX HOME-STEAD EXEMPTION, ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS, AND EXEMPT FROM SALES TAX VITAMINS USED BY CHIROPRACTORS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Stewart, the House adjourns at 6:14 p.m. to reconvene July 9 at 11:00 a.m.

SECOND DAY

HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1996

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, I am reminded that You alone never grow old, never change. I came into the Chamber yesterday afternoon. It was empty and so was the gallery, not a soul in sight. I listened for voices, but there was only silence. Where are all the people whose voices of yesteryear have been raised here? Gone, dead, long dead, silent. We honor their memory, but they are dead. Only the Journals and the law they crafted remain, and memory. Some are despised, some revered, and that is all that will remain of us. Forty, fifty, seventy years from now, how many in this room will be yet alive? Two, three or none. Who will be able to call our names? Just statistics, references turned to for precedents for some superseding law. I sound like Alfred Hitchcock of the prayer room. Sorry Father, just a thought, but this place is spooky when it is empty, and we do want to be remembered, so help us to do something that will outlast us and put substance to the name signed at the end. Lord, these good folks are hard at it, and their work is difficult and tedious, and so bless and guide them today as they work, and remind us all that Your Word declares that, 'Except the Lord build the house, they labour in vain that built it; except the Lord keep the city the watchman waketh but in vain'. (Psalms 127:1) Thank You Father. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 8 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (110-2).

Leaves of absence are granted Representatives McMahan, K. Miller, and G. Robinson for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative McCombs for the Committee on Pensions and Retirement:

H.B. 12, A BILL TO BE ENTITLED AN ACT TO MAKE COST-OF-LIVING ADJUSTMENTS IN STATE AND LOCAL RETIREMENT SYSTEMS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

The bill is re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Wainwright, Aldridge, Allred, Dickson, H. Hunter, and Nichols:

H.B. 22, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MILK PRODUCTS THAT ARE EXEMPT FROM THE SOFT DRINK TAX ARE NOT REQUIRED TO REGISTER WITH THE DEPARTMENT OF REVENUE FOR THE EXEMPTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Mercer, Aldridge, H. Hunter, Hurley, McComas, Nichols, Preston, and Tolson:

H.B. 23, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MONTHLY PENSION PAYMENTS FOR QUALIFIED FIREMEN AND ELIGIBLE RESCUE SQUAD WORKERS, is referred to the Committee on

Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 24, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO PROVIDE LIFE-SUSTAINING MEDICATION FOR ELIGIBLE PERSONS INFECTED WITH HIV, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 25, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ECONOMIC AND TOURISM DEVELOPMENT BY THE LAKE GASTON REGIONAL DEVELOPMENT ASSOCIATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 26, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ROANOKE-CHOWAN NARCOTICS TASK FORCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 27, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA GAMING STUDY COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative H. Hunter:

H.B. 28, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO "ANOTHER CHOICE FOR BLACK CHILDREN", A LICENSED PRIVATE ADOPTION AGENCY IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee and is presented:

By Representatives Arnold, Gray, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 18, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS, SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE WAGES PAID DUE TO PLANT CLOSINGS, EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS, AND EXEMPT FROM SALES TAX VITAMINS USED BY CHIROPRACTORS, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for July 10. The original bill is placed on the Unfavorable Calendar.

The Speaker rules the committee substitute to be material, thus constituting its first reading.

INTRODUCTION OF BILLS AND RESOLUTIONS

Pursuant to **H.R. 1**, the following are introduced, read the first time and referred to committee:

By Representatives Grady and Preston:

H.B. 29, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Grady, H. Hunter, Hurley, McComas, Morgan, Nichols, Preston, and Tolson:

H.B. 30, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES A REFUNDABLE TAX CREDIT, WITHOUT INTEREST, FOR STATE INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, is referred to the

Committee on Rules, Calendar, and Operations of the House.

By Representatives G. Miller, Hunt, and Tolson:

H.B. 31, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE INTERDISCIPLINARY DIABETES PROGRAM AT THE SCHOOL OF MEDICINE AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives G. Miller, Luebke, and Michaux:

H.B. 32, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A NEW EXHIBIT AT THE NORTH CAROLINA MUSEUM OF LIFE AND SCIENCE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives G. Miller, H. Hunter, Luebke, Michaux, and Tolson:

H.B. 33, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REIMBURSEMENT TO COUNTIES FOR HOUSING COSTS OF INMATES AWAITING TRANSFER TO THE STATE PRISON SYSTEM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Thompson and Buchanan:

H.B. 34, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Cansler, Bowie, Cummings, Ives, Russell, and Sherrill:

H.B. 35, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE AND SUSTAIN THE CAPACITY OF NONPROFIT HOUSING DEVELOPERS TO PRODUCE AFFORDABLE HOUSING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Kiser, Berry, and Gamble:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH

AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRALS

On motion of Representative Morgan, pursuant to Rule 39.2, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD;

H.B. 3, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX;

H.B. 4, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON;

H.B. 5, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION;

H.B. 6, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE;

H.B. 14, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER; and

H.B. 15, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE.

On motion of Representative Morgan, seconded by Representative Shaw, the House adjourns at 11:49 a.m. to reconvene July 10 at 11:00 a.m.

THIRD DAY

HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1996

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Heavenly Father, we pause to pray each day as we begin our work here in this place. A comma in the day's sentence. A blip on our spiritual radar screen. A nuisance to a few. Why pray? Why sing? Why think? Why dream? Golden Gate Bridge was once only a dream, so was a 747, Penicillin, space flight, computers, open heart surgery, Beethoven's Fifth, Moonlight Sonata. All was spirit, intangible before they became reality. The Declaration of Independence, Bill of Rights, the Constitution. Spirit first, reality second. The Bible says that God is Spirit, that man is both spirit and substance, and creation and man's creativity attests to God's reality. Out of harmony, out of rhythm, collision, confusion, reaction, chaos. Prayer is the way to tune reality with spirit and what is, and bring focus, discovery, harmony for what can be. Come on now Chaplain you've stepped in over your head, you are all stuck up like Br'er Rabbit and the Tar Baby. What we need is help with this budget, this tax relief, this bill, some idea about what to do to make all this work. Well, that's what I said. An idea is intangible, spirit, and you and your committee, and this House must make it reality. Oh boy, Lord, I guess when it comes right down to the nitty gritty of the whole thing we just need somebody smarter than most of us are to help us with what comes up in life, and so never mind about the philosophy and theology just burst on into our heads and help us to get this job done. The taxpayers will sure appreciate it, and a lot of folks will be surprised. Thank You, Father. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 9 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (91-1).

Representative Sexton requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (92-1).

Leaves of absence are granted Representatives McMahan, K. Miller, Sherrill, and Wright for today.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representatives Gray, Arnold, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 11.

H.B. 3, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

H.B. 4, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 11.

H.B. 5, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 11.

H.B. 6, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 11.

H.B. 14, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 11.

H.B. 15, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 11.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Cocklereece, Allred, Gardner, Rayfield, J. Robinson, Sharpe, Shubert, Watson, and Weatherly:

H.B. 37, A BILL TO BE ENTITLED AN ACT TO PROHIBIT AN EXHIBITION FEATURING A DOGFIGHT, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Bowie and McComas (Co-Sponsors); Allred, Gardner, Hiatt, Rayfield, Redwine, J. Robinson, and Watson:

H.B. 38, A BILL TO BE ENTITLED AN ACT TO INCLUDE PRIOR IMPAIRED DRIVING CONVICTIONS IN FELONY PRIOR RECORD LEVEL CALCULATION, TO PROVIDE FOR AN INDEFINITE CIVIL SUSPENSION OF A DRIVERS LICENSE WHEN A DRIVER IS CHARGED WITH AN IMPAIRED DRIVING OFFENSE WHILE ANOTHER IMPAIRED DRIVING OFFENSE IS PENDING DISPOSITION, AND TO ALLOW FOR MODIFICATION OF SENTENCE FOR IMPAIRED DRIVING ON REMAND TO DISTRICT COURT OR WITHDRAWAL OF APPEAL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Yongue, Culp, and Watson:

H.B. 39, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA BIOTECHNOLOGY CENTER FOR THE BUSINESS DEVELOPMENT PROGRAM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Sharpe, Adams, Allred, Bowie, Boyd-McIntyre, Cocklereece, Culp, Decker, Reynolds, Sexton, Watson, and Wood:

H.B. 40, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HUMAN RESOURCES FOR THE CONSTRUCTION OF A JUVENILE DETENTION CENTER IN GUILFORD COUNTY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Gray, Gardner, and Watson:

H.B. 41, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE GOODWILL INDUSTRIES OF NORTHWEST NORTH CAROLINA, INC., TO COMPLETE ITS CAPITAL EXPANSION PLAN, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justus, Allred, Gardner, Hiatt, Kiser, McComas, Rayfield, Thompson, and Watson:

H.B. 42, A BILL TO BE ENTITLED AN ACT TO ESTABLISH STATE POLICY REGARDING THE CONSTRUCTION OF PRISONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justus, Hiatt, Kiser, and Thompson:

H.B. 43, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PROVISION THAT NO EXPENDITURES MAY BE MADE FOR PURPOSES CONSIDERED BUT NOT ENACTED BY THE GENERAL ASSEMBLY AND TO MAKE CONFORMING CHANGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justus, Allred, Gardner, Hiatt, Kiser, McComas, Rayfield, Redwine, J. Robinson, and Thompson:

H.B. 44, A BILL TO BE ENTITLED AN ACT TO REPEAL THE THIRTY-DAY TAX PROTEST RULE AND ALLOW A TAXPAYER TO REQUEST A REFUND OF CERTAIN ILLEGAL TAXES ANYTIME WITHIN THREE YEARS AFTER THE TAX WAS DUE OR SIX MONTHS AFTER PAYING THE TAX, WHICHEVER IS LATER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Justus, Hiatt, Kiser, McComas, Rayfield, Thompson, and Watson:

H.B. 45, A BILL TO BE ENTITLED AN ACT TO REPEAL JUDICIAL REVIEW OF LIFE SENTENCES WITHOUT PAROLE AFTER TWENTY-

FIVE YEARS AND EVERY TWO YEARS THEREAFTER, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.J.R. 46, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1996 SECOND EXTRA SESSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wood and Watson:

H.B. 47, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SECOND PRIMARY, THEREBY REDUCING COST TO STATE AND COUNTIES AND FACILITATING A SHORTER CYCLE FOR SPECIAL ELECTIONS IN REDRAWN CONGRESSIONAL DISTRICTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 48, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE EFFORTS FOR THE PREVENTION OF AIDS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright, J. Robinson, and Watson:

H.B. 49, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SUPPORT LOCAL MOSQUITO CONTROL DISTRICTS AND OTHER UNITS OF LOCAL GOVERNMENT ENGAGED IN MOSQUITO CONTROL, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wright:

H.B. 50, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NEW HANOVER COMMUNITY HEALTH CENTER, INCORPORATED, FOR CAPITAL EXPENSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Wright and Shaw:

H.B. 51, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A DOWNTOWN REVITALIZATION PILOT PROJECT TO DESIGNATE ENTERPRISE TAX ZONES AND PROVIDE INCENTIVES FOR

BUSINESS DEVELOPMENT IN THE ZONES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holmes, Creech, Esposito, Justus, Morgan, Rayfield, Thompson, and Watson:

H.B. 52, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Holmes, Allred, Creech, Esposito, Justus, Morgan, Rayfield, Sharpe, and Watson:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUDGET AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND FOR SALARY INCREASES FOR TEACHERS AND STATE EMPLOYEES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 54, A BILL TO BE ENTITLED AN ACT TO MAKE TAX LAW CHANGES AUTHORIZED FOR CONSIDERATION DURING THE SECOND EXTRA SESSION OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 18**, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS,

SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE WAGES PAID DUE TO PLANT CLOSING, EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS.

Representative Owens offers Amendment No. 1.

The Speaker rules the amendment to be material.

On motion of Representative Daughtry, seconded by Representative Berry, Amendment No. 1 is tabled by electronic vote (58-54).

Representative Gray calls the previous question on the passage of the bill and the call is sustained by electronic vote (65-49).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, Mercer, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 101.

Voting in the negative: Representatives Alexander, Barnes, Black, Blue, Fitch, Hackney, Hensley, Hunt, Luebke, McLaughlin, Michaux, Oldham, and Richardson - 13.

Excused absences: Representatives McMahan, K. Miller, Sherrill, and Wright - 4.

Representative Black requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (102-12).

RE-REFERRALS

On motion of Representative Morgan, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

H.B. 30, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES A REFUNDABLE TAX CREDIT, WITHOUT INTEREST, FOR STATE INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988;

H.B. 17, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN;

H.B. 19, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CASTLE HAYNE, SUBJECT TO A REFERENDUM;

H.B. 20, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY;

H.B. 34, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE PROPERTY FROM THE CEILING OF SATELLITE ANNEXATIONS BY THE TOWN; and

H.B. 36, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

On motion of Representative Morgan, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

H.B. 52, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE; and

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AMEND THE

BUDGET AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND FOR SALARY INCREASES FOR TEACHERS AND STATE EMPLOYEES.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 2, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 3, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 11:52 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEES

The following reports from standing committee are presented:

By Representatives Holmes, Esposito, and Creech, Co-Chairs, for the Committee on Appropriations:

H.B. 52, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, with a favorable report.

Pursuant to **H.R. 1**, the bill is placed on today's Calendar.

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUDGET AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION

AND FOR SALARY INCREASES FOR TEACHERS AND STATE EMPLOYEES, with a favorable report.

Pursuant to **H.R. 1**, the bill is placed on today's Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

Pursuant to **H.R. 1**, the following are introduced, read the first time and referred to committee:

By Representative Watson:

H.B. 55, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE AGRICULTURAL FINANCE AUTHORITY FOR THE RESERVE FOR FARM LOANS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Watson:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO ALLOW HYDE, JONES, MARTIN, NEW HANOVER, PITT, SURRY, AND WILSON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brawley and Watson:

H.B. 57, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ESTABLISH A STATE VASECTOMY FUND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Brawley and Watson:

H.B. 58, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX VITAMINS AND NUTRITIONAL SUPPLEMENTS DISPENSED BY CHIROPRACTIC PHYSICIANS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Shaw:

H.B. 59, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE

FUNDS FOR THE NORTH CAROLINA HOUSING TRUST FUND AND TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY POSSIBLE SOURCES OF REVENUE DEDICATED TO THE PERPETUATION OF THE HOUSING TRUST FUND, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Fitch, Adams, Arnold, Crawford, Cunningham, Earle, H. Hunter, Lemmond, McAllister, Michaux, Nichols, Oldham, Owens, Redwine, Richardson, Wainwright, Warner, and Womble:

H.B. 60, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL PURPOSES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 61, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Reynolds:

H.B. 62, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON TECHNOLOGY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Sexton:

H.B. 63, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wilkins:

H.B. 64, A BILL TO BE ENTITLED AN ACT TO REDUCE THE CORPORATE INCOME TAX AND AUTHORIZE CORPORATIONS TO DONATE THE AMOUNT OF THE TAX REDUCTION TO THE STATE SCHOOL TECHNOLOGY FUND FOR IMPROVING STUDENT PERFORMANCE IN THE PUBLIC SCHOOLS THROUGH THE USE OF LEARNING AND INSTRUCTIONAL MANAGEMENT TECHNOLOGIES,

is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Hunt:

H.B. 65, A BILL TO BE ENTITLED AN ACT TO ALLOW A FIFTY-DOLLAR INCOME TAX CREDIT TO EACH HOMEOWNER IN THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wood:

H.B. 66, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Hensley and Howard:

H.B. 67, A BILL TO BE ENTITLED AN ACT TO ALLOW LEFT TURNS ON RED IN CERTAIN SITUATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Allred:

H.B. 68, A BILL TO BE ENTITLED AN ACT TO GENERALLY REVISE THE STATE BUDGET BY REFUNDING THE UNCONSTITUTIONAL INTANGIBLES TAX PAID ON STOCK FOR THE 1991 THROUGH 1994 TAX YEARS AND MAKING APPROPRIATE APPROPRIATIONS CHANGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Shaw:

H.B. 69, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR ASBESTOS REMOVAL AT NORTH CAROLINA CENTRAL UNIVERSITY, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representatives Allred and Reynolds:

H.B. 70, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF

TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Allred:

H.B. 71, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A ONE-TIME FEE FOR PERMANENT REGISTRATION PLATES FOR HISTORIC VEHICLES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 72, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 73, A BILL TO BE ENTITLED AN ACT TO DIVIDE NORTH CAROLINA INTO TWELVE CONGRESSIONAL DISTRICTS, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Allred:

H.B. 74, A BILL TO BE ENTITLED AN ACT TO GENERALLY REVISE THE STATE BUDGET BY EXEMPTING BOTTLED SOFT DRINKS THAT CONTAIN MILK FROM THE SOFT DRINK TAX WITHOUT THE REQUIREMENT THAT THEY MUST FIRST REGISTER WITH THE DEPARTMENT OF REVENUE AND TO MAKE APPROPRIATION CHANGES, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative G. Miller:

H.B. 75, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Nichols:

H.B. 76, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FEES THAT THE ENVIRONMENTAL MANAGEMENT

COMMISSION MAY CHARGE FOR PERMITS AND COMPLIANCE MONITORING UNDER THE WATER QUALITY PROGRAM AND TO INCREASE THE MAXIMUM PERCENTAGE OF THE TOTAL BUDGETS OF CERTAIN ENVIRONMENTAL PROGRAMS THAT MAY BE DERIVED FROM FEES FROM THIRTY TO FIFTY PERCENT, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Wilkins:

H.B. 77, A BILL TO BE ENTITLED AN ACT PERTAINING TO CONGRESSIONAL REDISTRICTING, is referred to the Committee on Rules, Calendar, and Operations of the House.

By Representative Morgan:

H.B. 78, A BILL TO BE ENTITLED AN ACT TO ENACT THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 1996, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR (continued)

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUDGET AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND FOR SALARY INCREASES FOR TEACHERS AND STATE EMPLOYEES, passes its second reading, by electronic vote (103-7), and there being no objection is read a third time.

Representative R. Hunter requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (104-6).

The bill passes its third reading, by electronic vote (106-4), and is ordered sent to the Senate by Special Message.

H.B. 52, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

The Speaker states that all amendments that do not state exactly where

within the parameters of the budget money is being moved will be ruled out of order.

Representative Eddins offers Amendment No. 1 which is adopted by electronic vote (105-1).

Representative Reynolds offers Amendment No. 2 which is adopted by electronic vote (105-4).

Representative Ellis offers Amendment No. 3.

On motion of the Chair, Amendment No. 3 is temporarily displaced.

Representative Sexton offers Amendment No. 4.

Representative Sexton calls the previous question on the amendment and the call is sustained by electronic vote (80-29).

Amendment No. 4 fails of adoption by electronic vote (52-53).

Representative Kiser offers Amendment No. 5 which is adopted by electronic vote (80-27).

Amendment No. 3, which was temporarily displaced, is before the Body.

Amendment No. 3 fails of adoption by electronic vote (18-91).

Representative Culpepper offers Amendment No. 6 which is adopted by electronic vote (88-10).

Representative Wainwright offers Amendment No. 7 which fails of adoption by electronic vote (43-60).

Representative G. Miller offers Amendment No. 8.

On motion of Representative Morgan, seconded by Representative Thompson, Amendment No. 8 is tabled by electronic vote (61-50).

Representative Gardner offers Amendment No. 9 which is adopted by electronic vote (105-1).

Representative Gardner offers Amendment No. 10 which is adopted by electronic vote (101-2).

Representative Black offers Amendment No. 11.

On motion of Representative Daughtry, seconded by Representative Gardner, Amendment No. 11 is tabled by electronic vote (58-52).

Representative Redwine offers an amendment. The Speaker rules the amendment out of order. The amendment is returned to the member.

Representative Hensley offers an amendment. The Speaker rules the amendment out of order pursuant to his opening statement. The amendment is returned to the member.

Representative Hightower offers Amendment No. 12.

On motion of Representative Morgan, seconded by Representative Holmes, Amendment No. 12 is tabled by electronic vote (63-48).

Representative Holmes calls the previous question on the passage of the bill and the call is sustained by electronic vote (69-42).

The bill, as amended, passes its second reading by electronic vote (71-41).

Representative Decker offers Amendment No. 13 which fails of adoption by electronic vote (43-69).

The bill, as amended, passes its third reading, by electronic vote (71-41), and is ordered engrossed and sent to the Senate by Special Message.

On motion of Representative Morgan, seconded by Representative Black, the House adjourns at 7:31 p.m. to reconvene July 11 at 10:30 a.m.

FOURTH DAY

HOUSE OF REPRESENTATIVES

Thursday, July 11, 1996

The House meets at 10:30 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious and Eternal Heavenly Father, thank You for the gift of sleep and the miracle of rest, and for giving us another day. Father, I was exhausted just listening yesterday, and I know that these good men and women who had to get out into the thick of this legislative joust were tired. They did battle with the inconsistencies of the predictable, the uncertainties of the sure, the profundities of the trivial, the logic of the ever changing, and the response of the unbending while at the same time building the physique of the fiscal. And it takes a special kind of person to do a thing like that. By the way, Father, we won't have to run for re-election in Heaven because if we make it, You have already elected us, no budget, and no preaching either, just singing and stuff that You are going to surprise us with, and so I guess that we politicians and preachers had better get in our licks down here and take up guitar picking or something for up there. Just kidding, Father. I would not make light of Heaven or the vitally important work that these good folks are doing down here. It is important and vital to the well being of all our citizens and to the building of a healthy and wholesome society for our state. This is what this is all about and we all need Your help. And so, let me claim a promise for today and a recipe for the weekend ahead: 'But they that wait upon the Lord shall renew their strength; they shall mount up with wings as an eagle; they shall run and not be weary; they shall walk and not faint'. (Isaiah 40:31) Thank You, Father. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 10 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (94-3).

Leaves of absence are granted Representatives McMahan, K. Miller, and Redwine for today.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 5, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

H.B. 4, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives McMahan, K. Miller, and Redwine - 3.

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-0).

H.B. 5, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell,

Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives McMahan, K. Miller, and Redwine - 3.

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-0).

H.B. 6, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives McMahan, K. Miller, and Redwine - 3.

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-0).

H.B. 14, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives McMahan, K. Miller, and Redwine - 3.

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-0).

H.B. 15, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Blue, Bowen, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives McMahan, K. Miller, and Redwine - 3.

Representative Ellis requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (101-0).

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD.

On motion of Representative Cansler, Committee Amendment No. 1 is adopted by electronic vote (104-0).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Locke, Luebke, McComas, McCombs, McCrary, Mercer, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Stewart, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wood, and Yongue - 95.

Voting in the negative: Representatives Adams, Blue, Boyd-McIntyre, Cunningham, Earle, Easterling, Gamble, Lee, McAllister, Michaux, Shaw, Sutton, Womble, and Wright - 14.

Excused absences: Representatives McMahan, K. Miller, and Redwine - 3.

Representatives Bowie and Howard state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (97-14).

Committee Substitute for **H.B. 18, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR**

YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS, SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE WAGES PAID DUE TO PLANT CLOSING, EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS.

Representative Luebke moves to suspend Rule 31(d) in order that he might offer an amendment with a title change.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (70-45).

The motion to suspend the rules fails by electronic vote (43-70).

Representatives Oldham and McAllister request and are granted permission to be recorded as voting "aye". The adjusted vote total is (45-70).

Representative Michaux offers Amendment No. 2 which is adopted by electronic vote (114-0).

Representative Shaw moves to suspend Rule 31(d) in order that he might offer an amendment with a title change.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (68-44).

The motion to suspend the rules fails by electronic vote (45-67).

Representative Wainwright offers an amendment.

The Speaker rules the amendment not germane to the title.

Representative Wainwright moves that Rule 31(d) be suspended in order that the title of the bill might be amended to make the amendment germane.

Representative Morgan calls the previous question on the motion and the call is sustained by electronic vote (60-52).

The motion to suspend the rules fails, by electronic vote (56-56), for lack of a two-thirds majority.

Representative Owens offers Amendment No. 3 which the Speaker rules to be material.

On motion of Representative Daughtry, seconded by Representative Creech, Amendment No. 3 is tabled by electronic vote (58-54).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Allred, Arnold, Baker, Barbee, Beall, Berry, Black, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Eddins, Edwards, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hayes, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lemmond, Linney, Locke, McAllister, McComas, McCombs, McCrary, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Wainwright, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 97.

Voting in the negative: Representatives Alexander, Barnes, Blue, Bowen, Cunningham, Easterling, Fitch, Gamble, Hackney, Hensley, Hunt, H. Hunter, Lee, Luebke, McLaughlin, Richardson, Warner, and Wright - 18.

Excused absences: Representatives McMahan, K. Miller, and Redwine - 3.

On motion of Representative Morgan, seconded by Representative Hensley, the House adjourns at 12:06 p.m. to reconvene Monday, July 15, 1996, at 7:00 p.m.

FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 15, 1996

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, thank You for the gift of life, and for reminding us of just how fragile life can be. Bless and comfort those who have suffered personal loss this past weekend and give them the courage to know and to believe that they can begin again. Bertha, capricious, fickle, vicious, destructive, devastating, exciting, fun for a few, fulfilling and a reason for being for the media, tragic for those in her path. Then there was politics, national candidates struggling for position, in trouble, extrapolating the strong points of the opposition, ads in fragments and out of context, courting special interest groups, held hostage by the threat of the ballot. Public monies being dispensed as the ransom for election. The work ethic and personal responsibility sacrificed on the altar of decaying morals, feed me, give me special rights, clothe me, shelter me, doctor me, raise my kids, and I will vote for you. And, Father, this is us, our generation, no place to run, no place to hide, and here we are back in Raleigh, strategy planned, work to be done. When we look at our world, our country and our state, and the problems of overpopulation, shrinking resources, and a sick ecology, the symptoms of increased violence, crime, and family deterioration, it is no wonder that so many cop out on alcohol and other drugs. Who has the answers? No mortal alone can solve all these and other ills. But, we must try, that is why we are here, I like to believe, and so let our bargaining position begin on our knees in private prayer. Give us faith to believe in the impossible, to trust in the transformation of a cross into a symbol of hope, to dream the ideal and to recognize the practical. And, when we feel alone, and see only one set of footprints in the sand, remind us that that is because You are carrying us in Your arms. Come if You will today, but if not, give us courage and faith for tomorrow. Through Christ our Lord we pray. Amen."

Representative Morgan, for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 11 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (89-1).

Leaves of absence are granted Representatives Berry, Blue, Cansler, Carpenter, Clary, Cunningham, Dickson, Dockham, Gamble, McComas, McMahan, K. Miller, Nichols, Redwine, G. Robinson, and Wright for today.

INTRODUCTION OF PAGES

Pages for the week of July 15-19 are introduced to the membership. They are: Lauren Allen of Granville; Mary Cameron Calder of Wake; Roy Wade Cameron of Wake; Scott Tilson Claiborne of Buncombe; James Gray Corey of Martin; Courtney Brynn Denning of Wake; Willfrey Forrest Grant, III of Wake; Samuel Lee Head of Transylvania; Ivey Louise Jackson of Iredell; Adam Durant Jones of Harnett; Terrance Jermaine Jones of Wake; Adam Lee Moore of Iredell; Amy Diane Quinn of Cumberland; Natalie Nichole Sanders of Johnston; Edward Alexander Warner, III of Cumberland; and Caroline Randolph Wright of Franklin.

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 14, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER**, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRAL

On motion of Representative Morgan and without objection, **S.B. 3, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER**, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and placed on today's Calendar.

CALENDAR

Action is taken on the following:

H.B. 2, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Beall, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Capps, Church, Cocklereece, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson,

J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 93.

Voting in the negative: None.

Excused absences: Representatives Berry, Blue, Cansler, Carpenter, Clary, Cunningham, Dickson, Dockham, Gamble, McComas, McMahan, K. Miller, Nichols, Redwine, G. Robinson, and Wright - 16.

H.B. 4, A BILL TO BE ENTITLED AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Beall, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Capps, Church, Cocklereece, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 93.

Voting in the negative: None.

Excused absences: Representatives Berry, Blue, Cansler, Carpenter, Clary, Cunningham, Dickson, Dockham, Gamble, McComas, McMahan, K. Miller, Nichols, Redwine, G. Robinson, and Wright - 16.

H.B. 5, A BILL TO BE ENTITLED AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Beall, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Capps, Church, Cocklereece, Culp,

Culpepper, Cummings, Daughtry, Davis, Decker, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 93.

Voting in the negative: None.

Excused absences: Representatives Berry, Blue, Cansler, Carpenter, Clary, Cunningham, Dickson, Dockham, Gamble, McComas, McMahan, K. Miller, Nichols, Redwine, G. Robinson, and Wright - 16.

H.B. 6, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Beall, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Capps, Church, Cocklereece, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 93.

Voting in the negative: None.

Excused absences: Representatives Berry, Blue, Cansler, Carpenter, Clary, Cunningham, Dickson, Dockham, Gamble, McComas, McMahan, K. Miller, Nichols, Redwine, G. Robinson, and Wright - 16.

H.B. 15, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE, passes its third reading, by the following vote, and is ordered

sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Beall, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Capps, Church, Cocklereece, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 93.

Voting in the negative: None.

Excused absences: Representatives Berry, Blue, Cansler, Carpenter, Clary, Cunningham, Dickson, Dockham, Gamble, McComas, McMahan, K. Miller, Nichols, Redwine, G. Robinson, and Wright - 16.

S.B. 3, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barnes, Beall, Black, Bowen, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Capps, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Decker, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 96.

Voting in the negative: None.

Excused absences: Representatives Berry, Blue, Cansler, Carpenter, Clary, Cunningham, Dickson, Dockham, Gamble, McComas, McMahan,

K. Miller, Nichols, Redwine, G. Robinson, and Wright - 16.

Representative Sherrill states that her voting equipment malfunctioned and she requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (97-0).

RE-REFERRALS

On motion of Representative Morgan, the following bills are withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

H.B. 58, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES AND USE TAX VITAMINS AND NUTRITIONAL SUPPLEMENTS DISPENSED BY CHIROPRACTIC PHYSICIANS; and

H.B. 63, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM.

On motion of Representative Morgan, seconded by Representative Church, the House adjourns at 7:31 p.m. to reconvene July 16 at 11:00 a.m.

SIXTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, July 16, 1996

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, it isn't always easy to pray, but we thank You for the privilege anyway. It isn't always easy to feel Your presence, but we thank You for Your promise to be with us just the same. It isn't easy to keep on praying when so many of our prayers don't seem to be answered, at least not in the way we wanted them to be. And, it isn't easy to keep on keeping on especially when we don't know exactly how to get to where we thought we wanted to go to begin with. Maybe all the above are some of the

reasons that we feel compelled to pray, and are praying. This called session is different, Father, attitudes, atmosphere, reason for being here. Feels kinda like being kept in after school to write a theme about something that you thought you had already written about, but maybe hadn't. This governing, this lawmaking, these taxes, this process of maintaining an orderly society is a complicated affair. I believe that these good folks know this, and I believe that they will come up with what is needed, and so I ask You to bless them in committee and on the floor, in caucus and in the corridors. Help them to dream the right solutions, and to find the tools to put them in place. And, Father, I ask You to bless the Senate and the Governor too, because from where I view this thing everybody needs Your help. And, Father, if it's okay, just nudge them along a little bit because there's a fellow over here who wants to catch that old mossy-backed Bass before somebody else beats him to him. Thank You, Father. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 15 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (99-4).

Leaves of absence are granted Representatives Berry, Blue, Clary, Dickson, Gamble, Hackney, McMahan, G. Robinson, and Wright for today.

REPORTS OF STANDING COMMITTEES AND PERMANENT SUBCOMMITTEES

The following reports from standing committees are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 29, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

By Representatives Gray, Arnold, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY

AND TO VALIDATE ACTIONS OF THE TOWN, with a favorable report.

Pursuant to **H.R. 1**, the bill is placed on the Calendar.

H.B. 20, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill, which is ruled material, thus constituting its first reading, is placed on the Calendar for July 17. The original bill is placed on the Unfavorable Calendar.

H.B. 34, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN, with a favorable report.

Pursuant to **H.R. 1**, the bill is placed on the Calendar.

H.B. 36, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, with a favorable report.

Pursuant to **H.R. 1**, the bill is placed on the Calendar.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 6, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS

GIVEN AWAY BY MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

S.B. 3, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Mitchell, Morgan, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, and Yongue - 101.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Berry, Blue, Clary, Dickson, Gamble, Hackney, McMahan, G. Robinson, and Wright - 9.

NOTICE TO PLACE BILLS ON CALENDAR

Pursuant to **H.R. 1**, Section 1(6), Representative Morgan places the following bills on today's Calendar.

H.B. 17, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY

AND TO VALIDATE ACTIONS OF THE TOWN;

H.B. 34, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN; and

H.B. 36, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY.

CALENDAR (continued)

H.B. 17, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowen, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, K. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, and Yongue - 103.

Voting in the negative: None.

Excused absences: Representatives Berry, Blue, Clary, Dickson, Gamble, Hackney, McMahan, G. Robinson, and Wright - 9.

H.B. 34, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN, passes its

second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Womble, Wood, and Yongue - 104.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Berry, Blue, Clary, Dickson, Gamble, Hackney, McMahan, G. Robinson, and Wright - 9.

H.B. 36, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Bowie, Boyd-McIntyre, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Davis, Decker, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 104.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives Berry, Blue, Clary, Dickson, Gamble, Hackney, McMahan, G. Robinson, and Wright - 9.

On motion of Representative Morgan, seconded by Representative Holmes, the House adjourns at 11:23 a.m. to reconvene July 17 at 10:30 a.m.

SEVENTH DAY

HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1996

The House meets at 10:30 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, thank You for yet another day, for the privilege of life and for the privilege of rest and of work. Especially work that has the noble purpose of uplifting humankind in relationships, resources, and responsibility. Sterile technique in the operating room, exact and precise tolerances in a fine engine, scientific perfection in space, balanced harmony in music, geometric honesty in architecture. But, as a pastor or politician our job is less tangible, more variable, more elusive, but no less demanding, depending more upon what we are than who we are. Integrity, honesty of motive, ideals, guilelessness, transparency, compulsion for caring, fitting changing life to unchanging values, knowing how and what and when and where. Our heads in the clouds, our hands and feet in the dust and dirt of life, knowing that we have a double accountability, to God and to man. This budget, this tax bill, new districts, the media, the press, party differences and philosophies, personal image, lobby groups, constituents, political expediency, elusive and fickle votes, public misunderstanding, timing. Each day I feel compelled to go to my knees before I go to my day and pray: 'Search me, Oh God, and know my heart; try me, and know my thoughts; and see if there be any wicked way in me, and lead me in Your own way everlasting.' (Psalm 139:23-24) 'And give Thy servant an understanding heart to judge Thy people, to discern between good and evil for without Your help who can serve this people.' (I Kings 3:9) And so, guide our Speaker and these Representatives today in these tedious and testing times. In Thy name we pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 16 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-0).

Leaves of absence are granted Representatives McMahan, K. Miller, G. Robinson, and Tallent for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Gray, Arnold, and C. Wilson, Co-Chairs, for the Committee on Finance.

H.B. 63, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar for July 18.

MESSAGE FROM THE SENATE

The following is received from the Senate:

H.B. 53, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUDGET AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND FOR SALARY INCREASES FOR TEACHERS AND STATE EMPLOYEES, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

CALENDAR

Action is taken on the following:

H.B. 17, A BILL TO BE ENTITLED AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN, passes its third reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hightower, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 99.

Voting in the negative: None.

Excused absences: Representatives McMahan, K. Miller, G. Robinson, and Tallent - 4.

Representatives Decker and Esposito state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (101-0).

The bill is ordered sent to the Senate by Special Message.

H.B. 34, A BILL TO BE ENTITLED AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN, passes its third reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hightower, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins,

C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 99.

Voting in the negative: None.

Excused absences: Representatives McMahan, K. Miller, G. Robinson, and Tallent - 4.

Representatives Decker and Esposito state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (101-0).

The bill is ordered sent to the Senate by Special Message.

H.B. 36, A BILL TO BE ENTITLED AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY, passes its third reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Daughtry, Davis, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fitch, Fox, Gamble, Gardner, Grady, Hackney, Hayes, Hensley, Hightower, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McLaughlin, Mercer, Michaux, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 99.

Voting in the negative: None.

Excused absences: Representatives McMahan, K. Miller, G. Robinson, and Tallent - 4.

Representatives Decker and Esposito state that their voting equipment malfunctioned and they request to be recorded as voting "aye". These requests are granted. The adjusted vote total is (101-0).

The bill is ordered sent to the Senate by Special Message.

Committee Substitute for **H.B. 20**, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, AND TO ALLOW DEANNEXATION OF AN AREA BY THE TOWN OF FOUR OAKS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fitch, Fox, Gamble, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCrary, McLaughlin, Mercer, Michaux, Miner, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, Wright, and Yongue - 102.

Voting in the negative: None.

Excused absences: Representatives McMahan, K. Miller, G. Robinson, and Tallent - 4.

BILL TEMPORARILY DISPLACED

On motion of Representative Grady, **H.B. 29**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION, is temporarily displaced.

SUSPENSION OF RULES

Representative Hayes moves that the rules be suspended in order that he might introduce a bill.

Representative Wainwright inquires of the Chair if the motion requires a two-thirds majority. The Speaker rules that it does.

The motion to suspend the rules carries by electronic vote (102-8).

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 3, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF PELETIER. (CHAPTER 1)

On motion of the Chair, the House recesses at 11:30 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

Representative Morgan moves, seconded by Representative Watson, that the House adjourn, subject to the receipt of Senate messages, to reconvene July 18 at 10:30 a.m. The motion carries.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 52, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE**, is returned for concurrence in Senate committee substitute, and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

The House stands adjourned at 5:54 p.m.

EIGHTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 18, 1996

The House meets at 10:30 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, since You are all knowing, and even the secret thoughts of our minds are known to You, we would not dare try to deceive You in any way. And so, please know that we thank You for life and health, and for the opportunity to work and to serve. Father, You know our situation here in the House. It's crunch time, decision time, debating time, voting time. I believe that these fine men and women here are concerned about what is best for their people and truly want to do what is right. There is just one hitch, we are caught in the web of politics. It's like trying to rescue a drowning man while wearing handcuffs and leg irons, or running the Olympic one hundred in combat boots and full field pack, or trying to kiss your wife through a screen door. But, if you took the politics out, you would take out all the fun. We wanted to make a difference, to serve, and politics is the arena that we chose. It's just that there are so many variables, ramifications, changes that keep cropping up. It's like marrying the girl or man of your dreams, you get the rest of the family too, and the family doesn't always approve of what we do or how we do it. When we fight, make plans, or make love, their presence or a ghost of their presence, is always there. But, if we stay married or serve in government, we've got to figure out some way to get the job done because a failure would really be tough on the kids. The general public doesn't think too well of us anyway and, really doesn't trust this political process or think that we really care about them individually, and so, Father, how are we going to help these people who really need help, support our party, uphold our own philosophies, and get ourselves re-elected? Lord, this is fun and we love it, but it's a God-sized job and so let us not be deceived by lack of faith but remember that Your Word says: 'he that abides in Me, and I in him, the same shall bring forth much fruit: for without Me you can do nothing.' (John 15:5) And so, today, Cum ba ya, my Lord, Cum ba ya. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 17 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (86-0).

Representative Aldridge requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (87-0).

Leaves of absence are granted Representatives McMahan, Neely, Nye,

Pulley, Richardson, G. Robinson, Sherrill, Sutton, Thompson, and Wright for today.

INTRODUCTION OF BILL AND RESOLUTION

The following is introduced, read the first time and referred to committee:

By Representatives Hayes, Baker, Barbee, Bowie, Cansler, Cocklereece, Culp, Cummings, Cunningham, Davis, Esposito, Hiatt, Holmes, Justus, Kiser, McComas, Pate, Preston, Rayfield, Redwine, Reynolds, J. Robinson, Russell, Sharpe, Shubert, Thompson, Watson, C. Wilson, and G. Wilson:

H.B. 79, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FUNDS TO BE ALLOCATED FROM THE SAVINGS RESERVE ACCOUNT FOR DISASTER RELIEF, is referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 20**, A BILL TO BE ENTITLED AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, AND TO ALLOW DEANNEXATION OF AN AREA BY THE TOWN OF FOUR OAKS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Esposito, Fox, Gamble, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Howard, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, McComas, McCombs, McCrary, McLaughlin, Mercer, G. Miller, Miner, Mitchell, Morgan, Nichols, Oldham, Owens, Pate, Preston, Ramsey, Rayfield, Redwine, Reynolds, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shubert, Stewart, Tallent, Tolson, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Womble, Wood, and Yongue - 95.

Voting in the negative: Representative K. Miller.

Excused absences: Representatives McMahan, Neely, Nye, Pulley, Richardson, G. Robinson, Sherrill, Sutton, Thompson and Wright - 10.

RE-REFERRAL

On motion of Representative Morgan, **H.B. 79**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FUNDS TO BE ALLOCATED FROM THE SAVINGS RESERVE ACCOUNT FOR DISASTER RELIEF, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Appropriations.

On motion of the Chair, the House recesses at 10:37 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Creech, Esposito, and Holmes, Co-Chairs, for the Committee on Appropriations:

H.B. 79, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FUNDS TO BE ALLOCATED FROM THE SAVINGS RESERVE ACCOUNT FOR DISASTER RELIEF, with a favorable report.

Pursuant to **H.R. 1**, the bill is placed on today's Calendar.

CALENDAR (continued)

H.B. 79, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FUNDS TO BE ALLOCATED FROM THE SAVINGS RESERVE ACCOUNT FOR DISASTER RELIEF.

Representative Hayes offers Amendment No. 1.

Representative Hayes calls the previous question on the amendment and the call is sustained by electronic vote (69-39).

Amendment No. 1 is adopted by electronic vote (102-5).

Representative Hayes calls the previous question on the passage of the bill and the call is sustained by electronic vote (69-36).

The bill, as amended, passes its second reading, by electronic vote (99-7), and there being no objection is read a third time.

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

Representative Hayes calls the previous question on the passage of the bill and the call is sustained by electronic vote (63-42).

The bill, as amended, passes its third reading, by electronic vote (97-10), and is ordered engrossed and sent to the Senate by Special Message.

On motion of the Chair, the House recesses at 12:55 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 2, AN ACT TO REDEFINE THE CORPORATE LIMITS OF THE TOWN OF SUMMERFIELD. (CHAPTER 2)

H.B. 4, AN ACT EXTENDING RIGHTS TO PETITION FOR VOLUNTARY NONCONTIGUOUS ANNEXATION INTO THE CITY OF HENDERSON. (CHAPTER 3)

H.B. 5, AN ACT TO RATIFY AN AGREEMENT BETWEEN THE IREDELL-STATESVILLE SCHOOLS BOARD OF EDUCATION AND THE MOORESVILLE GRADED SCHOOL DISTRICT BOARD OF EDUCATION. (CHAPTER 4)

H.B. 6, AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE. (CHAPTER 5)

H.B. 15, AN ACT TO ANNEX A DESCRIBED AREA TO THE CORPORATE LIMITS OF THE TOWN OF MOUNT OLIVE. (CHAPTER 6)

RE-REFERRAL

On motion of Representative Morgan and without objection, Senate Committee Substitute for **H.B. 52, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE BUDGET OPERATION OF THE STATE AND TO STRENGTHEN THE JUVENILE JUSTICE SYSTEM**, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and placed on today's Calendar for immediate consideration.

On motion of Representative Creech, the House does not concur in the Senate committee substitute, by electronic vote (70-32), and conferees are requested.

The Speaker appoints Representatives Holmes, Esposito, and Creech, Co-Chairs; Daughtry, Russell, Bowie, Grady, Preston, Weatherly, Mitchell, Thompson, Justus, Gardner, Lemmond, Ives, Nye, Crawford, Cummings, Kiser, and Morgan as conferees on the part of the House and the Senate is so notified by Special Message.

SUSPENSION OF RULE

Pursuant to Rule 28(e), the Speaker grants permission for the conference committee to meet while the House is not in session.

On motion of Representative Morgan, seconded by Representative Hurley, the House adjourns at 3:03 p.m. to reconvene Monday, July 22, 1996, at 7:00 p.m.

NINTH DAY

HOUSE OF REPRESENTATIVES

Monday, July 22, 1996

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, it would surprise us to know just how indebted to You we really are and in what ways, and we pause to say thank You, some of us profoundly, others maybe just to tip our hats. But, we do want to thank You and to acknowledge our dependence upon You. Bless those whose world was crushed by the plane disaster off New York. Hold them close to Your heart during this horrible time. Help those 'Down East' who were blasted by Bertha. Be with all who would open their hearts to You in countless episodes of personal and poignant pain. Human tragedy, drugs, street gangs, hate groups, inner office fights, governmental crisis, kids stranded in Atlanta, our own struggles here in Raleigh to come to some consensus on the budget, tax relief, political expediency, November election. Lord, what tangled webs we weave. We needed the beach, the weekend, time to look away, time to savor the little things of life that make life livable. Thank You for the bob-white that whistled at the edge of the yard. For cool weather that finally came on Sunday, the good music at church, the hand clasp of a friend grown old like me. My granddaughter's excitement about the Olympics, and the good nap that I took as we watched together. The great banana pudding on Thursday night. The neat clean look of the lawn fresh mowed and the refreshing shower that followed after. Life is so short, Lord, help us not to miss a thing. But, it's back to work here in Raleigh, Father, so bless the conferees as they work, guide our Speaker, all the staff, each Representative, House officers and all so that we can get the job done before us and move on to other things. Through Christ our Lord we pray. Amen."

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 18 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (96-3).

Leaves of absence are granted Representatives Aldridge, Barbee, Blue, Bowie, Clary, Cunningham, Dickson, Gamble, Lee, McLaughlin, Neely, G. Robinson, Thompson, Wood, and Wright for today.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 18**, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR

INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS, SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE WAGES PAID DUE TO PLANT CLOSINGS, EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS, is returned for concurrence in Senate committee substitute and referred to the Committee on Rules, Calendar, and Operations of the House.

Upon concurrence, the Senate committee substitute changes the title.

SPECIAL MESSAGE FROM THE SENATE

SECOND EXTRAORDINARY SESSION 1996 1995 GENERAL ASSEMBLY

SENATE CHAMBER

July 18, 1996

Mr. Speaker:

Pursuant to your message received Thursday, July 18, 1996, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 52**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 52** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE BUDGET OPERATION OF THE STATE AND TO STRENGTHEN THE JUVENILE JUSTICE SYSTEM, and requests conferees, the President Pro Tempore appoints:

Senator Plyler, Chairman

Senator Perdue

Senator Odom

Senator Sherron

Senator Martin of Guilford

Senator Martin of Pitt

Senator Plexico

Senator Kerr	Senator Winner
Senator Conder	Senator Hoyle
Senator Rand	Senator Warren
Senator Ballance	Senator Cooper
Senator Gulley	Senator Jordan
Senator Lucas	

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

WITHDRAWAL OF BILL FROM CALENDAR

On motion of Representative Morgan and without objection, **H.B. 63**, A BILL TO BE ENTITLED AN ACT TO REVIVE THE CHARTER OF THE TOWN OF WENTWORTH, SUBJECT TO A REFERENDUM, is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

RE-REFERRALS

On motion of Representative Morgan, **H.B. 8**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, AND PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Morgan, **S.B. 6**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE

UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of the Chair, the House recesses at 7:14 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 17, AN ACT TO CORRECT, SET OUT, AND CLARIFY THE BOUNDARIES OF THE TOWN OF DANBURY AND TO VALIDATE ACTIONS OF THE TOWN. (CHAPTER 7)

H.B. 34, AN ACT TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE, AND TO EXEMPT THE PROPERTY FROM THE CEILING ON SATELLITE ANNEXATIONS BY THE TOWN. (CHAPTER 8)

INTRODUCTION OF PAGES

Pages for the week of July 22-26 are introduced to the membership. They are: John Paul Averette of Transylvania; James McDonald Hobgood of Johnston; Richard M. Jones of Transylvania; Colene Shevonda Kelly of Columbus; Robert Michael Dane Onorio of Carteret; Rekha Shaunte Patterson

of Robeson; Kelly Michele Ross of Onslow; Kristen Annette Sabiston of Nash; Leslie Jean Sizemore of Alamance; and April Nicole Wilbon of Wake.

RE-REFERRAL

On motion of Representative Morgan, **H.B. 56**, A BILL TO BE ENTITLED AN ACT TO ALLOW HYDE, JONES, MARTIN, NEW HANOVER, PITT, SURRY, AND WILSON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of Representative Morgan, seconded by Representative Black, the House adjourns at 8:04 p.m. to reconvene July 23 at 12:00 Noon.

TENTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, July 23, 1996

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Loving Heavenly Father, thank You again for life today, and for the privilege of work, and the strength to work, and for work worthy of doing. We need Your strength, Your guidance, and Your forgiveness, and we thank You for the cross, the greatest perfecting amendment ever known to mankind, and for the Decalogue, the greatest set of rules ever given for relationships to God and man, and for Your grace that allows us to stumble, but get up and try again, that turns failure into triumph, and makes of disaster a gateway of hope. Father, we are engaged in the business of government and it's one of those testing times, we know that. We all have the 'itch of the instantaneous' within us, this push-button age, this fax and e-mail age, this fast food, quick-fix age, this Internet world at your fingertip age. But, Your Word is big on patience, 'Let patience have her perfect work'. (James 1:4) 'In your patience possess ye your souls'. (Luke 21:19) '...bring forth fruit with patience'. (Luke 8:15) And so, bless those who are hard at work to resolve the issues that bind and befuddle us, and transform every decision into betterment for our people, and

the fulfillment of the political careers of each one of us as will suit Your will. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 22 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-1).

Leaves of absence are granted Representatives Barbee, Blue, Clary, Cunningham, Dickson, Earle, Gamble, McLaughlin, Richardson, G. Robinson, and J. Robinson for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Gray, Arnold, and C. Wilson, Co-Chairs, for the Committee on Finance:

S.B. 6, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES, with a favorable report.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

MOTION TO SUSPEND RULES

Representative Morgan moves that Rule 31(g), Rule 31.1, and Rule 58 be

suspended in order that he might file a House resolution amending the House rules.

Representative Daughtry calls the previous question on the motion and the call is sustained by electronic vote (61-45).

The motion to suspend the rules fails, by electronic vote (60-46), for lack of a two-thirds majority.

RE-REFERRAL

On motion of Representative Morgan and without objection, Senate Committee Substitute for **H.B. 53**, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUDGET AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND FOR SALARY INCREASES FOR TEACHERS AND STATE EMPLOYEES, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and placed on the Calendar for immediate consideration.

Representative Holmes moves that the House do not concur in the Senate committee substitute and requests conferees.

Representative Daughtry calls the previous question on the motion and the call is sustained by electronic vote (62-43).

The House does not concur in the Senate committee substitute by electronic vote (62-44).

The Speaker appoints Representatives Holmes, Esposito, and Creech, Co-Chairs; Daughtry, Russell, Bowie, Grady, Preston, Weatherly, Mitchell, Thompson, Justus, Gardner, Lemmond, Ives, Nye, Crawford, Cummings, Kiser, Morgan, Arnold, C. Wilson, and Gray as conferees on the part of the House and the Senate is so notified by Special Message.

CONFEREES APPOINTED

The Speaker appoints Representatives Arnold, Gray, and C. Wilson as additional conferees on Senate Committee Substitute for **H.B. 52**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, and the Senate is so notified by Special Message.

On motion of the Chair, the House recesses at 1:20 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

SECOND EXTRAORDINARY SESSION 1996 1995 GENERAL ASSEMBLY

SENATE CHAMBER

July 23, 1996

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that on **H.B. 52**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 52** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE BUDGET OPERATION OF THE STATE AND TO STRENGTHEN THE JUVENILE JUSTICE SYSTEM, the President Pro Tempore appoints the following additional conferees:

Senator Little

Senator Hartsell

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,

S/ Sylvia M. Fink

Principal Clerk

SPECIAL MESSAGE FROM THE SENATE**SECOND EXTRAORDINARY SESSION 1996
1995 GENERAL ASSEMBLY**

SENATE CHAMBER

July 23, 1996

Mr. Speaker:

Pursuant to your message received Tuesday, July 23, 1996, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 53**, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUDGET AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND FOR SALARY INCREASES FOR TEACHERS AND STATE EMPLOYEES, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 53** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, and requests conferees, the President Pro Tempore appoints:

Senator Plyler, Chairman

Senator Perdue

Senator Odom

Senator Sherron

Senator Kerr

Senator Conder

Senator Rand

Senator Ballance

Senator Gulley

Senator Lucas

Senator Hartsell

Senator Martin of Guilford

Senator Martin of Pitt

Senator Plexico

Senator Winner

Senator Hoyle

Senator Warren

Senator Cooper

Senator Jordan

Senator Little

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

RE-REFERRAL

On motion of Representative Morgan and without objection, Senate Committee Substitute for **H.B. 18**, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS, SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE WAGES PAID DUE TO PLANT CLOSINGS, EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and placed on today's Calendar.

VOTE RECONSIDERED

Representative Hunt, having voted with the prevailing side, moves that the vote by which the House failed to suspend Rule 31(g), Rule 31.1, and Rule 58, in order that Representative Morgan might introduce a resolution amending the rules, be reconsidered.

The motion carries by electronic vote (95-5).

The motion to suspend the rules carries by electronic vote (98-2).

ADOPTION OF AMENDMENT TO PERMANENT RULES

Representative Morgan is recognized and sends forth a resolution for consideration by the Body.

The Speaker directs the Principal Clerk to number the resolution and **H.R. 80**, A HOUSE RESOLUTION TO AMEND THE PERMANENT RULES OF THE SECOND EXTRA SESSION TO ALLOW FLEXIBILITY OF THE CONFERENCE COMMITTEES ON TWO BILLS, is before the Body.

The resolution is adopted, by electronic vote (100-2), and ordered printed.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for **H.B. 18**, A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS, SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE WAGES PAID DUE TO PLANT CLOSINGS, EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS.

Representative Gray moves that the House do not concur in the Senate committee substitute and requests conferees.

On a point of order, Representative Luebke inquires if Part IV. Modify Franchise Tax, is eligible for consideration by the House under Rule 31(g). The Speaker rules that Part IV is not eligible for consideration pursuant to the rules.

Representative Owens inquires of the Chair if the rules can be suspended in order that Part IV can be considered. The Speaker rules that a resolution amending the rules would be necessary to make Part IV eligible for consideration.

The House fails to concur in the Senate committee substitute by electronic vote (86-19).

The Speaker appoints Representatives Gray, Arnold, and C. Wilson, Co-Chairs; Berry, Cansler, McMahan, Hill, Cunningham, Capps, and Morgan as conferees on the part of the House and the Senate is so notified by Special Message.

On motion of Representative Morgan, seconded by Representative Hensley, the House adjourns at 3:22 p.m. to reconvene July 24 at 11:00 a.m.

ELEVENTH DAY

HOUSE OF REPRESENTATIVES

Wednesday, July 24, 1996

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

The following prayer is offered by the Reverend William Mills, House Chaplain.

"Our Gracious Heavenly Father, we pause to thank You once again for this work that You have given us to do, and to acknowledge our dependence upon You. Thank You for praise and the joy we feel when we say, 'Bless the Lord, oh my soul and all that is within me bless His holy name!' (Psalm 103:1) And, thank You, for 'the sound of marching yesterday in the tops of the Mulberry trees' (II Samuel 5:24); a sign of Divine movement as it were, toward a compatible consensus and workable substance in the solution of our budgetary dilemma. To everything there is a time, and timing is beautiful, and yesterday was a beautiful time. Bless and guide the conferees from both House and Senate as they work to resolve differences and bring forth a document that will fall within the perimeters of acceptability for all. Help us to include in this session all bills and action amicable to Your will, and to know which can wait. Thank You for patient wives and family who support us as we labor here, and hasten a time of vacation and rest with them. And, since 'there is a time and a season for everything under the sun,' (Ecclesiastes 2:1) may I wish for each of you this life recipe by an unknown author:

'Enough happiness to keep you sweet;
Enough trials to make you strong;
Enough sorrow to keep you human;
Enough hope to make you happy;
Enough failure to teach you humility;
Enough success to keep you eager;
Enough friends to give you comfort;
Enough wealth to meet your needs;
Enough enthusiasm to welcome each sunrise;
Enough faith to make life wholesome;
Enough determination to make each day better
than yesterday'.

Through Christ our Lord, I pray. Amen."

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 23 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (90-1).

Leaves of absence are granted Representatives Clary, Dickson, Gamble, Hill, Locke, Redwine, G. Robinson, Wainwright, and Wright for today.

BILL TEMPORARILY DISPLACED

On motion of the Chair, **H.B. 29**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION, is temporarily displaced.

On motion of Representative Morgan, seconded by Representative Wilkins, the House adjourns at 11:14 a.m. to reconvene July 25 at 11:00 a.m.

TWELFTH DAY

HOUSE OF REPRESENTATIVES

Thursday, July 25, 1996

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Eddins.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 24 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (101-2).

Leaves of absence are granted Representatives Aldridge, Clary, Dickson, Gamble, Hayes, Pate, and G. Robinson for today.

SPECIAL MESSAGE FROM THE SENATE

SECOND EXTRAORDINARY SESSION 1996 1995 GENERAL ASSEMBLY

SENATE CHAMBER

July 24, 1996

Mr. Speaker:

Pursuant to your message received Tuesday, July 23, 1996, that the House of Representatives fails to concur in the Senate Committee Substitute bill to **H.B. 18** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS, SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE WAGES PAID DUE TO PLANT CLOSINGS, EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS, which Senate Committee Substitute proposes to change the title, upon concurrence, to read, **H.B. 18** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENT IN MACHINERY AND EQUIPMENT, CREATING JOBS, INCREASING RESEARCH AND DEVELOPMENT, AND WORKER TRAINING, TO MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS, TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND TO REDUCE THE FRANCHISE TAX ON CERTAIN INVENTORIES, and requests conferees, the President Pro Tempore appoints:

Senator Kerr, Co-Chair

Senator Sherron, Co-Chair

Senator Conder

Senator Rand

Senator Soles

Senator Hartsell

Senator Hoyle

Senator Carrington

Senator Albertson

Senator Shaw

Senator Dannelly

on the part of the Senate to confer with the committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 26, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE ADMINISTRATIVE PROCEDURE ACT, TO MAKE CHANGES IN VARIOUS LAWS GRANTING THE POWER TO ADOPT RULES, TO CLARIFY THE REPORTING DATE OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURES OVERSIGHT COMMITTEE, AND TO CLARIFY THE REQUIREMENTS CONCERNING CERTAIN REMOVALS OF UNDERGROUND STORAGE TANKS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

SUSPENSION OF RULES

Representative Morgan moves that the rules be suspended in order that **H.B. 30**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES A REFUNDABLE TAX CREDIT, WITHOUT INTEREST, FOR STATE INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, be withdrawn from the Committee on Finance and placed on the Calendar for immediate consideration.

Representative G. Miller inquires of the Chair, if this motion precludes requests for public hearings that have been made. The Speaker rules that it does not; that a public hearing may still be held.

Representative Culpepper inquires of the Chair, if the bill can be recalled from standing committee if one day's notice is not given pursuant to Rule 39(c). The Speaker states that the motion is to temporarily suspend all of Rule 39.

Representative Luebke inquires of the Chair, if the motion is in order since Rule 39(c) states that one day's notice is required to suspend the rule. The Speaker states that the motion was specifically to suspend the entire rule and pursuant to Mason's Manual of Legislative Procedure, Section 279, is properly before the Body.

Representative Morgan calls the previous question on the motion to suspend the rules and the call is sustained by electronic vote (59-44).

Representative Cunningham requests that he be excused from voting on

the motion to suspend the rules because he is retired from the military and this request is granted.

The motion to suspend the rules carries by electronic vote (72-31).

REPRESENTATIVE RUSSELL, SPEAKER PRO TEMPORE, PRESIDING.

Representative Sutton requests that he be excused from voting on this bill because he is a military retiree and this request is granted.

SPEAKER BRUBAKER PRESIDING.

Representative Grady calls the previous question on the passage of the bill and the call is sustained by electronic vote (84-14).

The bill passes its second reading, by electronic vote (96-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

NOTICE TO RECALL BILL

Representative Fitch gives notice, pursuant to Rule 39, of his intent to recall or petition to discharge **H.B. 60, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL PURPOSES**, from the Committee on Rules, Calendar, and Operations of the House.

BILL CALENDARED

Pursuant to Rule 36(a), Representative Morgan gives notice and **S.B. 6, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY**

MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES, is calendared for immediate consideration.

Representative Barnes offers Amendment No. 1.

Representative H. Hunter requests that he be excused from voting on this bill, pursuant to Rule 24.1A, and this request is granted.

Amendment No. 1 is adopted by electronic vote (95-1).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Alexander, Arnold, Barbee, Barnes, Beall, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, J. Brown, Buchanan, Cansler, Capps, Church, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Dockham, Earle, Easterling, Eddins, Esposito, Fitch, Fox, Gray, Hackney, Hensley, Hightower, Hill, Holmes, Hunt, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Locke, Luebke, McCombs, McCrary, McMahan, Michaux, G. Miller, Miner, Mitchell, Neely, Nichols, Nye, Oldham, Owens, Pulley, Ramsey, Redwine, Richardson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Tolson, Warner, Watson, Weatherly, C. Wilson, G. Wilson, Wood, Wright, and Yongue - 81.

Voting in the negative: Representatives Allred, Baker, Carpenter, Creech, Decker, Edwards, Gardner, Grady, Hiatt, Howard, Kiser, McComas, Mercer, K. Miller, Morgan, Preston, Rayfield, Reynolds, J. Robinson, and Thompson - 20.

Excused vote: Representative H. Hunter.

Excused absences: Representatives Aldridge, Clary, Dickson, Gamble, Hayes, Pate, and G. Robinson - 7.

On motion of Representative Morgan, seconded by Representative Easterling, the House adjourns at 1:09 p.m. to reconvene July 26 at 9:30 a.m.

THIRTEENTH DAY

HOUSE OF REPRESENTATIVES

Friday, July 26, 1996

The House meets at 9:30 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Davis.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 25 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (81-1).

Leaves of absence are granted Representatives Aldridge, Brawley, Buchanan, Clary, Decker, Dickson, Gamble, Hightower, Hill, Howard, Luebke, G. Robinson, Sutton, and Wright for today.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.B. 60, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE LOTTERY TO PROVIDE FUNDS FOR EDUCATIONAL PURPOSES, with an unfavorable report.

The bill is placed on the Unfavorable Calendar.

H.B. 61, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar. The original bill is placed on the Unfavorable Calendar.

CALENDAR

Action is taken on the following:

S.B. 6, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES.

The request that Representative H. Hunter be excused from voting on July 25 is continued.

Representative C. Wilson offers Amendment No. 2 which fails of adoption by electronic vote (33-59).

Representative Eddins offers Amendment No. 3.

The Speaker rules the amendment to be material.

Representative Neely inquires of the Chair if the amendment requires that the title of the bill be changed.

Representative Eddins withdraws his amendment.

Representative Ellis offers Amendment No. 3 which is adopted by electronic vote (87-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Adams, Alexander,

Arnold, Barbee, Barnes, Beall, Blue, Bowie, Braswell, J. Brown, Cansler, Capps, Church, Crawford, Culp, Culpepper, Cummings, Cunningham, Daughtry, Dockham, Earle, Ellis, Esposito, Fitch, Fox, Grady, Gray, Hackney, Hensley, Holmes, Hunt, R. Hunter, Hurley, Lee, Locke, McAllister, McCombs, McCrary, McLaughlin, McMahan, Mercer, Michaux, G. Miller, Mitchell, Neely, Nichols, Nye, Owens, Preston, Pulley, Ramsey, Redwine, Richardson, Rogers, Russell, Sexton, Shubert, Stewart, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, and Yongue - 69.

Voting in the negative: Representatives Allred, Baker, Carpenter, Cocklereece, Creech, Davis, Easterling, Eddins, Gardner, Hiatt, Justus, Kiser, Morgan, Pate, Rayfield, Reynolds, J. Robinson, Sharpe, Sherrill, and Wood - 20.

Excused vote: Representative H. Hunter.

Excused absences: Representatives Aldridge, Brawley, Buchanan, Clary, Decker, Dickson, Gamble, Hayes, Hightower, Hill, Howard, Ives, Luebke, G. Robinson, Sutton, and Wright - 16.

On motion of the Chair, the House recesses at 10:57 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

SECOND EXTRAORDINARY SESSION 1996 1995 GENERAL ASSEMBLY

SENATE CHAMBER
July 26, 1996

Mr. Speaker:

On motion of the Senate and by order of the Chair, it is ordered that **S.B. 6, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT**

FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES, be returned to your Honorable Body for further consideration.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

Representative Neely, having voted with the prevailing side, moves that the vote by which the third reading passed be reconsidered. The motion carries by electronic vote (81-4).

On motion of Representative Neely, the bill is withdrawn from the Calendar and re-referred to the Committee on Rules, Calendar, and Operations of the House.

On motion of the Chair, the House recesses at 12:33 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SUSPENSION OF RULE

Pursuant to Rule 28(e), the Speaker grants permission for conference committees to meet between today and the next legislative day.

On motion of Representative Morgan, seconded by Representative Fitch, the House adjourns at 1:31 p.m. to reconvene Monday, July 29, 1996, at 7:00 p.m.

FOURTEENTH DAY

HOUSE OF REPRESENTATIVES

Monday, July 29, 1996

The House meets at 7:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Capps.

The Speaker leads the Body in the Pledge of Allegiance.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 26 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (82-2).

Representative Watson requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (83-2).

Leaves of absence are granted Representatives Blue, Brawley, Cansler, Clary, Culpepper, Cunningham, Earle, Esposito, Gamble, Hayes, Hiatt, Howard, Luebke, McLaughlin, K. Miller, G. Robinson, Russell, Wainwright, and Wood for today.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 46, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

INTRODUCTION OF PAGES

Pages for the week of July 29 are Jonathan Brubaker of Randolph; Daniel Ellis Cook of Wake; James Franklin Cooper of Sampson; Courtney Brynn Denning of Wake; Matthew Alan Handy of Randolph; John Julian Pugh of Randolph; Kara Simpson of Randolph; Anna Laura Sizemore of Guilford;

Frazier Sizemore of Guilford; and Caroline Randolph Wright of Franklin.

On motion of Representative Morgan, seconded by Representative Hackney, the House adjourns at 7:25 p.m. to reconvene July 30 at 11:00 a.m.

FIFTEENTH DAY

HOUSE OF REPRESENTATIVES

Tuesday, July 30, 1996

The House meets at 11:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative J. Brown.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 29 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (93-3).

Leaves of absence are granted Representatives Blue, Brawley, Culpepper, Cunningham, Daughtry, Esposito, Gamble, Hiatt, Howard, Luebke, McLaughlin, Wainwright, and Wood for today.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Gray, Arnold, and C. Wilson, Co-Chairs, for the Committee on Finance:

H.B. 56, A BILL TO BE ENTITLED AN ACT TO ALLOW HYDE, JONES, MARTIN, NEW HANOVER, PITT, SURRY, AND WILSON COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, with a favorable report as to committee substitute bill, which changes the title, unfavorable as to original bill.

Pursuant to **H.R. 1**, the bill is placed on today's Calendar. The original bill is placed on the Unfavorable Calendar.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.J.R. 47, A JOINT RESOLUTION AUTHORIZING THE 1995 GENERAL ASSEMBLY, 1996 SECOND EXTRA SESSION, TO CONSIDER A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTIES FOR CERTAIN CRIMINAL OFFENSES COMMITTED WITH BOMBS OR OTHER EXPLOSIVES, which passed the Senate by a two-thirds majority vote.

The bill is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 56,** A BILL TO BE ENTITLED AN ACT TO ALLOW HYDE, JONES, NEW HANOVER, PITT, AND SURRY COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, J. Brown, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Cummings, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Edwards, Ellis, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, C. Wilson, G. Wilson, Wright, and Yongue - 95.

Voting in the negative: Representatives Allred, and K. Miller - 2.

Excused absences: Representatives Blue, Brawley, Culpepper, Cunningham, Daughtry, Esposito, Gamble, Hiatt, Howard, Luebke, McLaughlin, Wainwright, and Wood - 13.

BILL TEMPORARILY DISPLACED

On motion of the Chair, **H.B. 29**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPOINT FOUR MEMBERS TO THE BOARD OF TRUSTEES FOR EACH CONSTITUENT INSTITUTION, is temporarily displaced.

CALENDAR (continued)

Committee Substitute for **H.B. 61**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of the Chair, the House recesses at 11:25 a.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

On motion of Representative Morgan, seconded by Representative Michaux, the House adjourns at 1:50 p.m. to reconvene July 31 at 1:00 p.m.

SIXTEENTH DAY**HOUSE OF REPRESENTATIVES**

Wednesday, July 31, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Cummings.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 30 has been examined and found correct. Upon his motion, the Journal is approved as written by

electronic vote (91-1).

Leaves of absence are granted Representatives Blue, Braswell, J. Brown, Culpepper, Esposito, Gamble, Howard, McLaughlin, C. Wilson, and Wood for today.

CALENDAR

Action is taken on the following:

Committee Substitute for **H.B. 56**, A BILL TO BE ENTITLED AN ACT TO ALLOW HYDE, JONES, NEW HANOVER, PITT, AND SURRY COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION.

Representative Watson offers Amendment No. 1 which is adopted by electronic vote (94-1).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Bowen, Bowie, Boyd-McIntyre, Brawley, Buchanan, Cansler, Carpenter, Church, Clary, Cocklereece, Crawford, Culp, Cummings, Cunningham, Decker, Dickson, Dockham, Easterling, Eddins, Ellis, Fox, Gardner, Grady, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Hunt, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Wright, and Yongue - 91.

Voting in the negative: Representatives Allred, Capps, and Davis - 3.

Excused absences: Representatives Blue, Braswell, J. Brown, Culpepper, Esposito, Gamble, Howard, McLaughlin, C. Wilson, and Wood - 10.

RE-REFERRAL

On motion of Representative Morgan, **S.B. 2**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY TO LEVY AN

ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of the Chair, the House recesses at 1:14 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Gray, and Arnold, Co-Chairs, for the Committee on Finance:

S.B. 2, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, with a favorable report.

Pursuant to **H.R. 1**, the bill is placed on today's Calendar for immediate consideration.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barbee, Barnes, Beall, Bowen, Boyd-McIntyre, Brawley, Buchanan, Cansler, Carpenter, Cocklereece, Crawford, Culp, Cummings, Cunningham, Decker, Dickson, Dockham, Earle, Easterling, Ellis, Fox, Gardner, Grady, Gray, Hensley, Hightower, Hill, Hunt, R. Hunter, Ives, Justus, Kiser, Lee, Locke, Luebke, McCombs, McCrary, McMahan, Michaux, G. Miller, Miner, Mitchell, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Redwine, G. Robinson, Sexton, Sharpe, Shubert, Stewart, Sutton, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, Wright, and Yongue - 70.

Voting in the negative: Representatives Allred, Baker, Berry, Capps,

Clary, Davis, Eddins, Hayes, Morgan, Rayfield, Sherrill, and G. Wilson - 12.

Excused absences: Representatives Blue, Braswell, J. Brown, Culpepper, Esposito, Gamble, Howard, McLaughlin, C. Wilson, and Wood - 10.

On motion of the Chair, the House recesses at 2:23 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 6, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES, with a favorable report as to House committee substitute bill, unfavorable as to original bill.

The House committee substitute bill, which is ruled material, thus constituting its first reading, is placed on the Calendar of August 1 as a Special Order of Business for its second roll call reading. The original bill is placed on the Unfavorable Calendar.

Representative Morgan moves, seconded by Representative Black, that the House adjourn, subject to the receipt of a conference report, to reconvene August 1 at 1:00 p.m.

CONFERENCE REPORT

Representative Gray sends forth the Conference Report on Senate Committee Substitute for **H.B. 18**, A BILL TO BE ENTITLED AN ACT TO ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENT IN MACHINERY AND EQUIPMENT, CREATING JOBS, INCREASING RESEARCH AND DEVELOPMENT, AND WORKER TRAINING, TO MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS, TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND TO REDUCE THE FRANCHISE TAX ON CERTAIN INVENTORIES, which is ruled material, thus constituting its first reading. The Conference Report is placed on the Calendar of August 1 for its second roll call reading.

The House stands adjourned at 4:35 p.m.

SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES

Thursday, August 1, 1996

The House meets at 1:00 p.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Reverend Jack Fisler.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of July 31 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (98-1).

Leaves of absence are granted Representatives J. Brown, Gamble, Howard, McLaughlin, C. Wilson, and Wood for today.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

Representative Gray moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 18

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 18, A BILL TO BE ENTITLED AN ACT TO ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENT IN MACHINERY AND EQUIPMENT, CREATING JOBS, INCREASING RESEARCH AND DEVELOPMENT, AND WORKER TRAINING, TO MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS, TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND TO REDUCE THE FRANCHISE TAX ON CERTAIN INVENTORIES, Senate Finance Committee Substitute Adopted 7/17/96, Fifth Edition Engrossed 7/19/96, submit the following report:

The House and Senate agree to the following amendment to the Senate Finance Committee Substitute, Fifth Edition Engrossed 7/19/96, and the House concurs in the Senate Finance Committee Substitute, Fifth Edition Engrossed 7/19/96, as amended:

Delete the entire Senate Finance Committee Substitute, Fifth Edition Engrossed 7/19/96, and substitute the attached Proposed Conference Committee Substitute PCCS5289-LCX.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: July 31, 1996.

*Conferees for the
Senate*

S/ John H. Kerr, III
S/ J. K. Sherron, Jr.
S/ David W. Hoyle
S/ R. C. Soles, Jr.
S/ Charles W. Albertson

*Conferees for the
House of Representatives*

S/ Lyons Gray
S/ Gene G. Arnold
S/ Cherie Killian Berry
S/ W. Edwin McMahan
S/ W. Pete Cunningham

S/ J. Richard Conder

S/ Dewey L. Hill

S/ Anthony E. Rand

S/ J. Russell Capps

S/ Charlie S. Dannelly

S/ Richard T. Morgan

S/ John H. Carrington

S/ Fletcher L. Hartsell, Jr.

The Conference Report, which changes the title, is adopted on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Berry, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Holmes, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Lemmond, Locke, Luebke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, G. Robinson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Wright, and Yongue - 110.

Voting in the negative: None.

Excused absences: Representatives J. Brown, Gamble, Howard, McLaughlin, C. Wilson, and Wood - 6.

CALENDAR (continued)

SPECIAL ORDER OF BUSINESS

House Committee Substitute for **S.B. 6**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS,

CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES, passes its second reading, by the following vote, and remains on the Calendar as Special Order of Business No. 1.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Allred, Arnold, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Church, Clary, Cocklereece, Crawford, Creech, Culp, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Ellis, Esposito, Fitch, Fox, Gardner, Grady, Gray, Hackney, Hensley, Hightower, Hill, Holmes, Hunt, H. Hunter, R. Hunter, Hurley, Justus, Lee, Lemmond, Locke, Luebke, McAllister, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Neely, Nichols, Nye, Oldham, Owens, Preston, Ramsey, Redwine, Richardson, G. Robinson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly, Wilkins, G. Wilson, Wright, and Yongue - 92.

Voting in the negative: Representatives Baker, Berry, Carpenter, Eddins, Hayes, Hiatt, Kiser, McComas, Morgan, Pate, Rayfield, J. Robinson, and Sharpe - 13.

Excused absences: Representatives J. Brown, Gamble, Howard, McLaughlin, C. Wilson, and Wood - 6.

On motion of the Chair, the House recesses at 1:47 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

RE-REFERRAL

On motion of Representative Morgan, **H.B. 7**, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS AND TO REIMBURSE COUNTIES AND CITIES FOR THE

RESULTING REVENUE LOSS, is withdrawn from the Committee on Rules, Calendar, and Operations of the House and re-referred to the Committee on Finance.

On motion of the Chair, the House recesses at 2:45 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Committee Substitute for **S.B. 41**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTION OF SUPERIOR COURT JUDGES IN THEIR DISTRICTS IN 1996 AND NONPARTISAN ELECTION IN THEIR DISTRICTS THEREAFTER AND CONCERNING VACANCIES IN SUPERIOR COURT JUDGESHIPS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

SUSPENSION OF RULES

On motion of Representative Morgan, Rules 31(g) and 38(a) are suspended, by electronic vote (86-14), in order that **S.B. 46**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, be eligible for consideration by the House.

On motion of the Chair, the House recesses at 4:31 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

Committee Substitute for **S.B. 41**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTION OF SUPERIOR COURT JUDGES IN THEIR DISTRICTS IN 1996 AND NONPARTISAN ELECTION IN THEIR DISTRICTS THEREAFTER AND CONCERNING VACANCIES IN SUPERIOR COURT JUDGESHIPS, with a favorable report.

Pursuant to **H.R. 1**, the bill is placed on today's Calendar for immediate consideration.

The bill passes its second reading by electronic vote (101-4).

Representative Culpepper objects to the third reading. The bill remains on the Calendar as Special Order of Business No. 2.

MESSAGE FROM THE SENATE

The following is received from the Senate:

S.B. 9, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PENDER COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE TO THE MAPLE HILL CIVIC CLUB, INC., A NONPROFIT CORPORATION, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

S.B. 46, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, with a favorable report as to House committee substitute bill, which changes the title,

unfavorable as to original bill.

Pursuant to **H.R. 1**, the House committee substitute bill is placed on today's Calendar for immediate consideration. The original bill is placed on the Unfavorable Calendar.

Representative Watson offers Amendment No. 1 which is adopted by electronic vote (93-1).

The bill, as amended, passes its second reading, by electronic vote (91-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute by Special Message.

On motion of Representative Morgan, seconded by Representative Hackney, the House adjourns at 6:35 p.m. to reconvene August 2 at 12:00 Noon.

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES

Friday, August 2, 1996

The House meets at 12:00 Noon pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locke.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 1 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (91-5).

Leaves of absence are granted Representatives J. Brown, Culp, Fitch, Gamble, Howard, Luebke, McLaughlin, G. Robinson, C. Wilson, and Wood for today.

Pursuant to Rule 54, the Speaker grants a leave of absence to the Principal Clerk, Denise G. Weeks, for the remainder of the session.

REPORT OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following report from standing committee is presented:

By Representatives Gray and Arnold, Co-Chairs, for the Committee on Finance:

H.B. 7, A BILL TO BE ENTITLED AN ACT TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION FOR LOW-INCOME ELDERLY AND DISABLED INDIVIDUALS AND TO REIMBURSE COUNTIES AND CITIES FOR THE RESULTING REVENUE LOSS, with a favorable report, as amended.

Pursuant to Rule 36(a), the bill is placed on the Calendar.

CALENDAR

Action is taken on the following:

CONFERENCE REPORT

The material Conference Report for Senate Committee Substitute for **H.B. 18, A BILL TO BE ENTITLED AN ACT TO ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENT IN MACHINERY AND EQUIPMENT, CREATING JOBS, INCREASING RESEARCH AND DEVELOPMENT, AND WORKER TRAINING, TO MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS, TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND TO REDUCE THE FRANCHISE TAX ON CERTAIN INVENTORIES, which changes the title, is adopted on its third roll call reading, by the following vote, and the Senate is so notified by Special Message. (The Conference Committee Substitute may be found in its entirety in the Appendix.)**

Those voting in the affirmative are: Speaker Brubaker; Representatives Adams, Aldridge, Alexander, Allred, Arnold, Baker, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Carpenter, Church, Cocklereece, Crawford, Culpepper, Cummings, Cunningham, Daughtry, Davis, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hiatt, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Kiser, Lee, Locke, McAllister, McComas, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, K. Miller, Miner, Mitchell, Morgan,

Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Rayfield, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Wright, and Yongue - 100.

Voting in the negative: None.

Excused absences: Representatives J. Brown, Creech, Culp, Esposito, Fitch, Gamble, Holmes, Howard, Luebke, McLaughlin, G. Robinson, C. Wilson, and Wood - 13.

CALENDAR (continued)

SPECIAL ORDER OF BUSINESS NO. 1

House Committee Substitute for **S.B. 6**, A BILL TO BE ENTITLED AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barbee, Barnes, Beall, Black, Blue, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Capps, Church, Cocklereece, Crawford, Culpepper, Cummings, Cunningham, Daughtry, Decker, Dickson, Dockham, Earle, Easterling, Ellis, Fox, Gardner, Grady, Gray, Hackney, Hensley, Hightower, Hill, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Locke, McAllister, McCombs, McCrary, McMahan, Michaux, G. Miller, K. Miller, Miner, Mitchell, Neely, Nichols, Nye, Oldham, Owens, Preston,

Pulley, Ramsey, Redwine, Reynolds, Richardson, Rogers, Russell, Sexton, Shaw, Sherrill, Shubert, Stewart, Sutton, Tallent, Thompson, Tolson, Warner, Watson, Weatherly, Wilkins, G. Wilson, Wright, and Yongue - 83.

Voting in the negative: Representatives Allred, Baker, Carpenter, Davis, Eddins, Hayes, Hiatt, Kiser, McComas, Mercer, Morgan, Pate, Rayfield, J. Robinson, and Sharpe - 15.

Excused absences: Representatives J. Brown, Creech, Culp, Esposito, Fitch, Gamble, Holmes, Howard, Luebke, McLaughlin, G. Robinson, C. Wilson, and Wood - 13.

SPECIAL ORDER OF BUSINESS NO. 2

Committee Substitute for **S.B. 41**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTION OF SUPERIOR COURT JUDGES IN THEIR DISTRICTS IN 1996 AND NONPARTISAN ELECTION IN THEIR DISTRICTS THEREAFTER AND CONCERNING VACANCIES IN SUPERIOR COURT JUDGESHIPS.

Representative Culpepper offers Amendment No. 1 which fails of adoption by electronic vote (35-63).

The bill passes its third reading, by electronic vote (97-2), and is ordered enrolled.

On motion of the Chair, the House recesses at 1:00 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

SECOND EXTRAORDINARY SESSION 1996 1995 GENERAL ASSEMBLY

SENATE CHAMBER
August 2, 1996

Mr. Speaker:

On **H.B. 18** (Committee Substitute), A BILL TO BE ENTITLED AN ACT TO PHASE OUT THE STATE SALES TAX ON FOOD OVER FOUR YEARS, PHASE DOWN THE CORPORATE INCOME TAX OVER FOUR YEARS, ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENTS IN BUSINESS PROPERTY AND FOR RESEARCH AND DEVELOPMENT, PHASE OUT THE SOFT DRINK TAX OVER THREE YEARS, REDUCE THE SALES TAX RATE ON ELECTRICITY AND NATURAL GAS USED IN FARMING AND MANUFACTURING, MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS AND FREE ITEMS GIVEN AWAY BY MERCHANTS, SIMPLIFY AND REDUCE INHERITANCE AND GIFT TAXES, EXEMPT FROM INCOME TAX SEVERANCE WAGES PAID DUE TO PLANT CLOSINGS, EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND ALLOW TAX INCENTIVES FOR CHARITABLE DONATIONS, which Senate Committee Substitute bill proposes to change the title, upon concurrence to read **H.B. 18** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENT IN MACHINERY AND EQUIPMENT, CREATING JOBS, INCREASING RESEARCH AND DEVELOPMENT, AND WORKER TRAINING, TO MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS, TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND TO REDUCE THE FRANCHISE TAX ON CERTAIN INVENTORIES, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees, further changing the title to read **H.B. 18** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO REDUCE TAXES FOR THE CITIZENS OF NORTH CAROLINA AND TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA.

Pursuant to your message that your Honorable Body adopted the report of the conferees, the Speaker may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S.B. 24, A BILL TO BE ENTITLED AN ACT TO ANNEX A DESCRIBED AREA TO THE TOWN OF ABERDEEN, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

S.B. 29, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO DELAY THE EFFECTIVE DATE OF ANNEXATIONS AS TO A SPECIFIED TRACT AND TO EXEMPT THE ANNEXATION OF TWO CITY LAKES FROM THE CEILING ON SATELLITE ANNEXATIONS, is read the first time and referred to the Committee on Rules, Calendar, and Operations of the House.

SPECIAL MESSAGE FROM THE SENATE

SECOND EXTRAORDINARY SESSION 1996 1995 GENERAL ASSEMBLY

SENATE CHAMBER

August 2, 1996

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives with the information that the Senate fails to concur in the House Committee Substitute bill to **S.B. 46,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 46** (House Committee Substitute), A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, TO ABOLISH THE HEALTH CARE REFORM COMMISSION, AND TO AMEND THE LAWS GOVERNING CORPORATE REINSTATEMENT AFTER DISSOLUTION, and requests conferees. The President Pro Tempore appoints:

Senator Rand, Chairman

Senator Ballantine

Senator Hoyle

on the part of the Senate to confer with a like committee appointed by your Honorable Body to the end that the differences arising may be resolved.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker appoints Representatives Morgan, Chair; Gray, Pulley, and Crawford as conferees on the part of the House and the Senate is so notified by Special Message.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S.B. 41, AN ACT TO PROVIDE FOR PARTISAN ELECTION OF SUPERIOR COURT JUDGES IN THEIR DISTRICTS IN 1996 AND NONPARTISAN ELECTION IN THEIR DISTRICTS THEREAFTER AND CONCERNING VACANCIES IN SUPERIOR COURT JUDGESHIPS. (CHAPTER 9)

On motion of the Chair, the House recesses at 3:17 p.m.

RECESS

The House reconvenes pursuant to recess and is called to order by the Speaker.

REPORTS OF STANDING COMMITTEE AND PERMANENT SUBCOMMITTEE

The following reports from standing committee are presented:

By Representative Morgan for the Committee on Rules, Calendar, and Operations of the House:

H.J.R. 46, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1996 SECOND EXTRA SESSION, with a favorable report as to committee substitute bill, unfavorable as to original bill.

Pursuant to Rule 36(a), the committee substitute bill is placed on the Calendar for August 3. The original bill is placed on the Unfavorable Calendar.

S.B. 9, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE PENDER COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE TO THE MAPLE HILL CIVIC CLUB, INC., A NONPROFIT CORPORATION, with a favorable report.

Pursuant to **H.R. 1**, the bill is placed on today's Calendar for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 61**, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, is returned for concurrence in Senate committee substitute and pursuant to **H.R. 1**, placed on today's Calendar for immediate consideration.

On motion of Representative Morgan, the House concurs in the Senate committee substitute, by electronic vote (95-0), and the bill is ordered enrolled.

POINT OF PERSONAL PRIVILEGE

"Thank you, Mr. Speaker, for allowing me to make these remarks. Mr. Speaker, we worked very well together when you were Minority Leader in 1981-82 and 1983-84 sessions, which was also my first two terms as Chairman of Rules, when we learned some of the offices were one half block larger than the others. I also fondly remember spending the night at the Brubaker Farms in Mt. Joy, Pennsylvania.

"First off, members of the House, let me tell you straight out that I am proud of the General Assembly - of it's representativeness, it's integrity, it's industry and it's responsiveness to the needs of the whole state of North Carolina.

"And, let me say that some of the things I say today may be attributed to something I have read or heard some of you or others say.

"About 24 years ago when I first entered this building, and I mean it was the first time, as it was after I was elected as a member, I was wide-eyed and bushy-tailed. Having been in business and a professional for many years, you can imagine the frustrations I experienced with the slowness and the time consuming process of making laws - not at all what I was accustomed to. It was a revelation.

"I quickly came to love the legislature - it's processes and it's members. The process works and has worked well for many years. Our great state is one of the few states providing total financial support for education and highways. These and other good things have come about due in large measure to the 'first branch of government'. And let us not forget, the foundation of this House is based on trust among members, respect for the rules, and the integrity of our committee system.

"Over my lifetime I have observed and worked with seven Governors:

Luther Hodges - A Businessman

Terry Sanford - An Attorney

Dan Moore - A Judge

Bob Scott - A Farmer

Jim Holshouser - An Attorney

Jim Martin - A College Professor

Jim Hunt - A Lawyer and Farmer

"The diversity of this group is at least matched, maybe exceeded, by the diversity of the General Assembly.

"We have had governors with highly ambitious programs. We have had governors with modest programs. But in each case, the General Assembly has been a modifying influence. The collective wisdom of this diverse group of 170 citizens has provided balance necessary for sound government. It tempers the program whatever the background. It has cut them down a peg or two when necessary, and it has raised their sights a notch or two when necessary. But in each case, in the last analysis, the legislative branch has provided the balance that has kept North Carolina sane and sensible but on a progressive course that has moved the state forward - always forward.

"Harry Emerson Fosdick said 'Democracy is based on the conviction that there are extraordinary possibilities in ordinary people'.

"I am honored to be a member of the General Assembly. I do have some concerns and also some hopes. Some concerns are:

1. Civility among members - Breakdown of civil debate. We can do better than that.
2. Too little time to think (for members) and reflect. Busy with routine chores.
3. Lobbyists can be very informative. Good and lasting lobbyists will talk about both sides of a bill but lobbyists standing with bill in hand in front of the committee explaining the bill while the bill sponsor looks on - we certainly can do better than that.
4. One upmanship. What a waste of time and energy. Just think how much we could accomplish if we channeled this waste of time and energy in a positive manner.
5. One-issue votes. Several years ago, I served on the Medical Manpower Study Commission. As I recall, there were four House and four Senate members. We had committee meetings from Manteo to Murphy. I concluded a need for another medical school. This was not a popular position in the district I represent, and I was strongly criticized by editorials and my friends for my position. I walked in the front door of my store on a Saturday morning during this time, when I heard a booming voice from the back of the store. 'Doc, you're wrong about that ECU Medical School'. We had a sale in progress, and a good many people were in the store, so I hurried to get close to him and we did discuss the matter. He said, 'I'm going to continue to support you because I checked on your record and I think you are right 90-95% of the time, and that's a good passing grade'. But his parting remarks were, 'But you sure are wrong about the ECU Med School'. If we could get the voter to look at our overall record instead of just one issue, our legislature would be better represented.
6. We try to out tax cut each other. We try to out 'harshest sentence' each other. (Punish criminals)
7. Out religion each other.
When religion controls government, democracy disappears. When government controls religion, religious freedom perishes. Deeds of love, not political platforms, identify Christians.
8. More government services and less taxes? We have members who vote 'yes' for appropriations and 'no' for taxes. They are soon branded by colleagues.
9. We don't get to know each other on a personal basis - very important.

Maybe we should have a retreat for all members. No political speeches - just get to know each other better.

I heard of a proposal by two congressmen - 1 Republican, 1 Democrat. They said a retreat would be designated to restore a bit of fellowship to a Congress whose poisonous partisanship has sickened not only just the voters, but many of its members. We can do better than that.

10. We have too many caucuses.

11. We think too much about what we can do to the other party and not enough about what we can do for the people. Sometime we think we've been 'done in' and we have to respond. To quote Shakespeare, 'done to death by slanderous tongues', and we can do better than that.

MY HOPE CHEST FOR THE FUTURE OF THE LEGISLATURE IS:

1. Long-term fiscal responsibility will not be forgotten. I voted for many balanced budgets before it was a constitutional requirement. It was just the right thing to do, and it still is.
2. To always be aware of and to love and care and share with those less fortunate ones in our midst. In the book of Matthew, Chapter 25, Verse 40, He says; 'Truly I say unto you, as you did it to the least of these, you did it unto Me'.
3. Our children are our future, and their education is our responsibility. I hope we make their future brighter and, thus, our state better.
4. And perhaps my greatest wish for my hope chest would be the disappearance of prejudices and racism.
5. That we will maintain and protect our AAA bond rating and continually improve our infrastructure.
6. That we would be aggressive to keep North Carolina a progressive state. Be strong and forthright and courageous in this continuing endeavor. Sophocles said, 'Fortune is not on the side of the faint hearted'.
7. Restore confidence in government and elected officials. This can be helped by example and education.

"After being elected Speaker Pro Tem by the House in 1985, I received a congratulatory letter from one of my constituents. This constituent interpreted the action of the House as placing me in a position of power. This was debatable since I was leaving as Chairman of the Rules Committee. My reply was that any power I might have springs from the people of the 48th District because I am their mirror image here in the House of Representatives.

"I attempted to make two other points in my reply. First, I am more

concerned about promoting the public good than exercising power. And second, that our state, country, and world would be brighter if the power of love, rather than the love of power, motivated our actions. Richness comes from what we are - not from what we have. It seems to me that this message applies generally to each of us as we go about the task of representing those who sent us here.

"Our responsibility is to use whatever power we may have to promote the well-being of the people of our districts. This is our first duty, but we are also legislators-at-large because the majority of questions that come before us are of a statewide nature and affect all of the people throughout the length and breadth of North Carolina.

"Ten years ago, Ruby called my attention to the fact that she had been married to me 40 of her 60 years - two-thirds of her life - adding that she had been around me and Liston Ramsey long enough to know that with two-thirds you could do almost anything you wanted to do. That has turned into 50 years and it has been stated on this floor several times 'Ruby Hunt is the best thing about Jack Hunt'. I do not argue with that. She has truly made me a home away from home while the legislature was in session.

"Colleagues, it has been a wonderful experience serving with you. In closing, let me just say that I hope that I have made some small contribution to our state and that I have helped make the quality of life better for our people and have sown some flowers along the pathway of life for others. (and I have sniffed a few along the way myself.)

"And Mr. Speaker, I would move that this House do now adjourn to reconvene when two or more former members get together. Thank all of you for what you do for North Carolina."

On motion of Representative G. Miller, the aforementioned remarks of Representative Hunt are spread upon the Journal.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 36, AN ACT TO ENABLE THE COUNTY OF LINCOLN AND THE CITY OF LINCOLNTON TO ESTABLISH AN AIRPORT AUTHORITY FOR THE MAINTENANCE OF AIRPORT FACILITIES IN THE COUNTY. (CHAPTER 10)

H.B. 56, AN ACT TO ALLOW HYDE, JONES, NEW HANOVER, PITT, AND SURRY COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION. (CHAPTER 11)

H.B. 20, AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, AND TO ALLOW DEANNEXATION OF AN AREA BY THE TOWN OF FOUR OAKS. (CHAPTER 12)

H.B. 18, AN ACT TO REDUCE TAXES FOR THE CITIZENS OF NORTH CAROLINA AND TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA. (CHAPTER 13)

S.B. 6, AN ACT TO PROVIDE TAX REFORM AND TAX RELIEF FOR THE CITIZENS OF NORTH CAROLINA BY REPEALING THE UNCONSTITUTIONAL CORPORATE TAX CREDIT FOR NORTH CAROLINA WINE, REPEALING THE UNCONSTITUTIONAL CORPORATE TAX DEDUCTION FOR NORTH CAROLINA DIVIDENDS, REPEALING THE UNCONSTITUTIONAL INDIVIDUAL INCOME TAX CREDIT FOR NORTH CAROLINA DIVIDENDS, REVISING THE UNCONSTITUTIONAL TAX CREDIT FOR QUALIFIED BUSINESS INVESTMENTS, CLARIFYING THE TAX TREATMENT OF REFUNDS OF UNCONSTITUTIONAL TAXES, CLARIFYING THE SALES AND USE TAX TREATMENT OF ITEMS GIVEN AWAY BY MERCHANTS, PROVIDING THE SECRETARY OF REVENUE AUTHORITY TO IMPROVE USE TAX COLLECTION, EXEMPTING FROM SALES AND USE TAX INVENTORY THAT IS DONATED BY A MERCHANT TO A CHARITABLE NONPROFIT ORGANIZATION, AND REPEALING MOST STATE PRIVILEGE LICENSE TAXES. (CHAPTER 14)

CONFERENCE REPORT

Representative Morgan sends forth the Conference Report on House Committee Substitute for **S.B. 46,** A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, TO ABOLISH THE HEALTH CARE REFORM COMMISSION, AND TO AMEND THE LAWS GOVERNING CORPORATE REINSTATEMENT AFTER DISSOLUTION. Pursuant to **H.R. 1,** the Conference Report is placed on today's Calendar for immediate consideration.

Representative Morgan moves the adoption of the following Conference Report.

House Committee Substitute for S.B. 46

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 46, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, TO ABOLISH THE HEALTH CARE REFORM COMMISSION, AND TO AMEND THE LAWS GOVERNING CORPORATE REINSTATEMENT AFTER DISSOLUTION, House Committee Substitute, Third Edition Engrossed 8/1/96, submit the following report:

The Senate and the House agree to the following amendments to the House Committee Substitute, Third Edition Engrossed 8/1/96, and the Senate concurs in the House Committee Substitute, Third Edition Engrossed 8/1/96 as amended:

on page 3, between lines 15 and 16 by inserting the following:

"(j) Alternatives for Providing Permanent Dedicated Sources of Revenue for Affordable Housing (Gulley; S.B. 10 from the 1996 Second Extra Session - Jordan; H.B. 59 from the 1996 Second Extra Session - Shaw). The study may consider:

- (1) Possible sources of revenue for permanent, dedicated funding for the perpetuation of the North Carolina Housing Trust Fund.
- (2) Permanent, dedicated funding for the Center for Community Self-Help's Home Ownership Expansion Program.
- (3) Funding of capacity building grants for nonprofit, tax-exempt housing providers.
- (4) Other significant initiatives and resources supporting and encouraging the availability of affordable housing in North Carolina.

(k) The role of North Carolina in global affairs, including the areas of international business, tourism, cultural affairs, and educational affairs, and including the need for long-term, strategic planning in these areas (S.B. 1471 - Plexico).

(l) Department of Environment, Health, and Natural Resources.-- The study may consider:

- (1) Reorganization of the Department of Environment, Health, and Natural Resources.
- (2) Duplication in or inconsistencies between State and federal environmental regulations.
- (3) Alternative permitting and compliance mechanisms.
- (4) Other issues relating to the administration and enforcement of State and federal environmental laws, regulations, policies, and programs.";

and on page 2, line 34, by inserting the following sentence after the phrase "State's minimum wage.": "If this study is undertaken, the Commissioner of Labor shall be a nonvoting, ex officio member of the committee assigned this issue.";

and on page 6, line 29 through page 7, line 15 by rewriting those line to read:

"Part VI. Reserved."

and on page 13, line 40 through page 14, line 2, by rewriting those lines as follows:

"(a) There is created the Legislative Study Commission on Welfare Reform. The Commission shall consist of 12 members as follows:

- (1) Six ~~members of the House of Representatives~~ persons appointed by the Speaker of the House of ~~Representatives~~; and Representatives, at least three of whom shall be members of the House; and
- (2) Six ~~Senators~~ persons appointed by the President Pro Tempore of the ~~Senate. Senate, at least three of whom shall be members of the Senate.~~";

and on page 15, line 15, by rewriting that line to read: "the rates set forth in ~~G.S. 120-3.1~~ G.S. 120-3.1, 138-5, or 138-6, as appropriate.";

and on page 15, lines 32-33 by rewriting those lines to read:

"(b) Subsection (b) of Section 23.8B of Chapter 507 of the 1995 Session Laws is repealed.

(c) From funds appropriated to the General Assembly, the Legislative Services Commission may allocate funds for the expenses of the Legislative Study Commission on Welfare Reform under this Part.";

and on page 13, lines 29-32, by rewriting those lines to read:

"Sec. 16.6. Any unencumbered and unexpended funds appropriated to the North Carolina Health Care Reform Commission shall revert to the General Fund.

Sec. 16.7. This Part becomes effective January 1, 1997."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 2, 1996.

*Conferees for the
Senate*

*Conferees for the
House of Representatives*

S/ Tony Rand
S/ David Hoyle
S/ Patrick Ballentine
S/ James W. Crawford, Jr.

S/ Richard T. Morgan
S/ Lyons Gray
S/ Arlene Pulley

The Conference Report, which changes the title, is adopted, by electronic vote (92-2), and the Senate is so notified by Special Message.

Representative Morgan moves, seconded by Representative Hunt, that the House adjourn, subject to the receipt of Messages from the Senate, to reconvene August 3 at 8:00 a.m. The motion carries.

SPECIAL MESSAGE FROM THE SENATE

SECOND EXTRAORDINARY SESSION 1996 1995 GENERAL ASSEMBLY

SENATE CHAMBER
August 2, 1996

Mr. Speaker:

On S.B. 46, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES

AND COMMISSIONS TO STUDY SPECIFIED ISSUES, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 46** (House Committee Substitute), **A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, TO ABOLISH THE HEALTH CARE REFORM COMMISSION, AND TO AMEND THE LAWS GOVERNING CORPORATE REINSTATEMENT AFTER DISSOLUTION**, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees.

Pursuant to the message that your Honorable Body has adopted the report of the conferees, the President has ordered the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The House stands adjourned at 7:12 p.m.

NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Saturday, August 3, 1996

The House meets at 8:00 a.m. pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Wainwright.

Representative Morgan for the Committee on Rules, Calendar, and Operations of the House, reports the Journal of August 2 has been examined and found correct. Upon his motion, the Journal is approved as written by electronic vote (91-0).

Representative Boyd-McIntyre requests and is granted permission to be recorded as voting "aye". The adjusted vote total is (92-0).

Leaves of absence are granted Representatives J. Brown, Luebke,

McLaughlin, G. Robinson, Tallent, and C. Wilson for today.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 61, AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. (CHAPTER 15)

S.B. 9, AN ACT TO AUTHORIZE THE PENDER COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN PROPERTY AT PRIVATE SALE TO THE MAPLE HILL CIVIC CLUB, INC., A NONPROFIT CORPORATION. (CHAPTER 16)

S.B. 46, AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, TO ABOLISH THE HEALTH CARE REFORM COMMISSION, AND TO AMEND THE LAWS GOVERNING CORPORATE REINSTATEMENT AFTER DISSOLUTION. (CHAPTER 17)

CONFERENCE REPORT

Representative Holmes sends forth the Conference Report on Senate Committee Substitute for **H.B. 53, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.** Pursuant to **H.R. 1**, the Conference Report is placed on today's Calendar for immediate consideration.

Representative Holmes moves the adoption of the following Conference Report.

Senate Committee Substitute for H.B. 53

To: THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 53, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHNAGES IN THE BUDGET OPERATIONS OF THE STATE, Senate Appropriations Committee Substitute Third Edition Engrossed 7/16/96, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the Senate Appropriations Committee Substitute Third Edition Engrossed 7/16/96, and the House concurs in the Senate Appropriations Committee Substitute Third Edition Engrossed 7/16/96, as amended:

Delete the entire Senate Appropriations Committee Substitute Third Edition Engrossed 7/16/96, and substitute the attached Proposed Conference Committee Substitute H53-PPCS-4294.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: August 2, 1996.

The conferees recommend that the Senate and the House of

Representatives adopt this report.

Date conferees approved the report: August 2, 1996

*Conferees for the
Senate*

S/ Aaron W. Plyler, chair
S/ Beverly M. Perdue
S/ T. L. Odom
S/ Anthony E. Rand
S/ Frank W. Ballance, Jr.
S/ Ed N. Warren
S/ William N. Martin
S/ J. K. Sherron, Jr.
S/ John H. Kerr, III
S/ J. Richard Conder
S/ J. Clark Plexico

*Conferees for the
House of Representatives*

S/ George M. Holmes, Co-chair
S/ Theresa H. Esposito, Co-chair
S/ Billy J. Creech, Co-chair
S/ N. Leo Daughtry
S/ Carolyn B. Russell
S/ Joanne Bowie
S/ Robert Grady
S/ Jean R. Preston
S/ John H. Weatherly
S/ Frank Mitchell
S/ Gregg Thompson

S/ Leslie Winner

S/ David W. Hoyle

S/ Roy A. Cooper, III

S/ Jeanne H. Lucas

S/ Luther H. Jordan, Jr.

S/ Fletcher L. Hartsell, Jr.

S/ Teena S. Little

S/ R. L. Martin

S/ Larry T. Justus

S/ Charlotte A. Gardner

S/ William M. Ives

S/ Edd Nye

S/ James W. Crawford, Jr.

S/ F. M. Cummings

S/ Joe Kiser

S/ Richard T. Morgan

S/ Gene G. Arnold

S/ Lyons Gray

The Conference Report, which changes the title, is adopted by electronic vote (101-1). (The text of the Conference Committee Substitute may be found in its entirety in the Appendix.)

Representatives Warner and Wright request and are granted permission to be recorded as voting "aye". The adjusted vote total is (103-1).

The Senate is so notified by Special Message.

(It should be noted that any apparent errors in the foregoing Conference Report were as the report was submitted.)

CALENDAR

Action is taken on the following:

S.B. 2, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX, passes its third reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Aldridge, Alexander, Arnold, Barbee, Barnes, Beall, Black, Blue, Bowen, Bowie, Boyd-McIntyre, Braswell, Brawley, Buchanan, Cansler, Church, Cocklereece, Crawford, Culp, Culpepper, Cummings, Cunningham, Decker, Dickson, Dockham, Earle, Easterling, Eddins, Ellis, Esposito, Fox, Gardner, Grady, Gray, Hackney, Hayes, Hensley, Hightower, Hill, Holmes, Hunt, H. Hunter, R. Hunter, Hurley, Ives, Justus, Lee, Lemmond, Locke, McAllister, McCombs, McCrary, McMahan, Mercer, Michaux, G. Miller, Miner, Mitchell, Morgan, Neely, Nichols, Nye, Oldham, Owens, Pate, Preston, Pulley, Ramsey, Redwine, Reynolds, Richardson, J. Robinson, Rogers, Russell, Sexton, Sharpe, Shubert, Stewart, Sutton, Thompson, Tolson, Wainwright, Warner, Watson, Weatherly,

Wilkins, and Yongue - 88.

Voting in the negative: Representatives Allred, Baker, Berry, Capps, Carpenter, Creech, Daughtry, Davis, Kiser, McComas, Rayfield, Sherrill, and G. Wilson - 13.

Excused absences: Representatives J. Brown, Luebke, McLaughlin, G. Robinson, Tallent, and C. Wilson - 6.

Representative Eddins requests and is granted permission to be recorded as voting "no". The adjusted vote total is (87-14).

The bill is ordered enrolled.

MESSAGE FROM THE SENATE

The following is received from the Senate:

Senate Committee Substitute for **H.B. 30**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEDERAL RETIREES A REFUNDABLE TAX CREDIT, WITHOUT INTEREST, FOR STATE INCOME TAX PAID ON THEIR RETIREMENT BENEFITS FOR TAX YEARS 1985 THROUGH 1988, is returned for concurrence in Senate committee substitute and, pursuant to **H.R. 1**, placed on today's Calendar for immediate consideration.

Upon concurrence, the Senate committee substitute changes the title.

Representatives Pate, Sutton, and Cunningham request to be excused from voting pursuant to Rule 24.1A, because they are federal retirees, and these requests are granted.

On motion of Representative Grady, the House concurs in the Senate committee substitute by electronic vote (97-2).

Representative Decker states that his voting equipment malfunctioned and he requests to be recorded as voting "aye". This request is granted. The adjusted vote total is (98-2).

The bill is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SECOND EXTRAORDINARY SESSION 1996

1995 GENERAL ASSEMBLY**SENATE CHAMBER**

August 3, 1996

Mr. Speaker:

On **H.B. 53**, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUDGET AND TO APPROPRIATE FUNDS FOR PUBLIC EDUCATION AND FOR SALARY INCREASES FOR TEACHERS AND STATE EMPLOYEES, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 53** (Senate Committee Substitute), A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, it is ordered that a message be sent to the House of Representatives with the information that the Senate adopts the report of the conferees to the end that when a similar action has been taken on the part of your Honorable Body, the Speaker may order the bill enrolled.

Respectfully,

S/ Sylvia M. Fink

Principal Clerk

The Speaker orders the bill enrolled.

CALENDAR (continued)

Committee Substitute for **H.J.R. 46**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1996 SECOND EXTRA SESSION.

Representative Morgan offers Amendment No. 1 which is adopted by electronic vote (101-0).

The resolution, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered sent to the Senate without engrossment by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 53, AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE. (CHAPTER 18)

H.B. 30, AN ACT TO REFUND TO FEDERAL RETIREES THE UNCONSTITUTIONAL TAXES THEY PAID ON THEIR PENSIONS FOR TAX YEARS 1985 THROUGH 1988. (CHAPTER 19)

S.B. 2, AN ACT TO AUTHORIZE CRAVEN COUNTY TO LEVY AN ADDITIONAL ROOM OCCUPANCY TAX AND TO REVISE THE EXISTING CRAVEN COUNTY ROOM OCCUPANCY TAX. (CHAPTER 20)

H.J.R. 46, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1996 SECOND EXTRA SESSION. (RESOLUTION 1)

Representative Morgan moves, seconded by Representative Watson, that the 1995 House of Representatives meeting in Second Extra Session under call of the Governor, adjourn sine die. The motion carries.

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House has concluded its business and stands ready to adjourn sine die.

SPECIAL MESSAGE FROM THE SENATE**SECOND EXTRAORDINARY SESSION 1996
1995 GENERAL ASSEMBLY**

SENATE CHAMBER
August 3, 1996

Mr. Speaker:

It is ordered that a message be sent to the House of Representatives respectfully advising that the Senate has concluded the business of the 1996 Second Extra Session of the 1995 General Assembly, ratified **H.J.R. 46, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 1996 SECOND EXTRA SESSION**, and in compliance with Resolution 1 stands ready to open the doors of the Senate immediately upon receipt of information from your Honorable Body that you are ready to open the doors of the House of Representatives to the end, that the gavels may fall simultaneously and adjournment declared sine die.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker directs the Sergeant-at-Arms to open the doors of the House.

The doors of the Senate are opened and the President stands ready to let the gavel fall. The Speaker sounds the gavel and declares the House of Representatives of the 1995 Session, 1996 Second Extra Session, of the General Assembly of North Carolina, adjourned sine die.

Denise G. Weeks
Principal Clerk

ADDENDUM

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of a majority of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

- (1) When a member moves that the Rule be suspended, and this motion carries by at least a majority vote of the members present.
- (2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Denise G. Weeks
Principal Clerk

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1996 Second Extra SessionAPPENDIX
SECOND EXTRA SESSION 1996

H.R. 1, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 1996 SECOND EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES.

Be it resolved by the House of Representatives:

Section 1. The permanent rules of the 1995 Regular Session of the House of Representatives, with the following amendments, are adopted as the permanent rules of the 1996 Second Extra Session:

- (1) Notwithstanding Rule 27, the standing committees of the House are:

- a. Appropriations;
- b. Finance;
- c. Pensions and Retirement; and
- d. Rules, Calendar, and Operations of the House.

The Speaker may appoint select committees under Rule 26.

- (2) Notwithstanding Rule 31(a), all bills and resolutions shall be introduced by submitting same to the Principal Clerk's office.

- (3) Notwithstanding Rule 31(g), the only resolutions that may be introduced or considered in the House are resolutions adjourning the Second Extra Session sine die. All bills shall be excluded from introduction or consideration in the House, other than:

- a. Bills generally revising the State Budget for fiscal year 1996-97;
- b. Tax provisions considered in 1996 in House Bill 1059 (Pay Phone Sales Tax Exemption), House Bill 1079 (Repeal State Food Tax), House Bill 1093 (Reform Unconstitutional Tax Laws), House Bill 1165 (Incentives to Increase Charitable Giving), House Bill 1242 (Clarify Free Item Use Tax), House Bill 1259 (Federal Retiree Refunds), House Bill 1404 (Expand Homestead Exemption), Senate Bill 192 (Vitamins Dispensed by Chiropractor/No Sales Tax), Senate Bill 1275 (Senate Incentives Package and House Incentives and Tax Reduction Package), and House Bill 1108 (Budget, which contains Senate Tax Reduction and Federal Retiree Refund Provisions);
- c. Congressional Redistricting;
- d. Local roll-call bills which passed third reading in at least one house in 1996;
- e. Appointments to office made by the General Assembly;
- f. Bills allowing for appointment by the General Assembly of members of boards of trustees of Community Colleges and constituent institutions of

The University of North Carolina;

- g. Bills making cost-of-living adjustments in State and local retirement systems; and
- h. Bills providing for election of superior court judges by district in 1996 and a legislative study of that matter to report in 1997.

(4) Notwithstanding Rule 31.1, all bills or resolutions must be introduced not later than 2:00 p.m. on Wednesday, July 10, 1996.

(5) Notwithstanding Rule 36, House bills and resolutions do not have to be reported from the standing committee to which referred.

(6) Notwithstanding Rule 36(a), when a standing committee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar on the day designated by the Chair of the Committee on Rules, Calendar, and Operations of the House, except that in the absence of the Chair of the Committee on Rules, Calendar, and Operations of the House, the Speaker may take such action, and except that bills on the Public Consent Calendar shall be placed on the favorable calendar as provided by Rule 40. In order to place a bill on the calendar for a legislative day, notice shall be given orally in the House, or notice shall be given in writing to the Principal Clerk.

(7) Notwithstanding Rule 41:

- a. The first reading and reference to a standing committee of a House bill shall occur on the legislative day of its introduction. The first reading and reference to a standing committee of a Senate bill shall occur on the legislative day of its receipt on messages from the Senate. Provided that, notwithstanding Rule 32 and Rule 38, if the Senate bill is identical to a House bill already on the calendar, the Speaker may, after first reading, place the Senate bill on the calendar. The Speaker shall give notice at each subsequent reading whether it be the second or third reading.

- b. No bill shall be read more than once on the same day without the concurrence of a majority of the members present and voting; provided, no bill governed by Article II, Section 23 of the North Carolina Constitution or described in Rule 20(a)(2) shall be read twice on any one day in any circumstance.

(8) Notwithstanding Rule 43.2, a Senate amendment to a bill

originating in the House may be placed on the calendar for the legislative day on which the House receives the Senate amendment.

- (9) Notwithstanding Rule 43.3(a), whenever the Senate has adopted a committee substitute for a bill originating in the House, and has returned the bill to the House for concurrence in that committee substitute, the bill may be placed on the calendar for the legislative day on which the House receives that committee substitute.
- (10) Notwithstanding Rule 44(d), a conference report shall be placed on the calendar for the legislative day of the report.

Sec. 2. This resolution is effective upon adoption.

H.R. 80, A HOUSE RESOLUTION TO AMEND THE PERMANENT RULES OF THE SECOND EXTRA SESSION TO ALLOW FLEXIBILITY OF THE CONFERENCE COMMITTEES ON TWO BILLS.

Be it resolved by the House of Representatives:

Section 1. Rule 44(b) of the Permanent Rules of the House of Representatives for the Second Extra Session reads as rewritten:

"(b) Only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such ~~matters~~. matters, except that conferees on House Bill 52 or 53, Second Extra Session may include in a conference report on any of these bills any matter in any edition in conference of any of these bills. The conference report may be made by a majority of the House members of such conference committee and shall not be amended."

Sec. 2. This resolution is effective upon adoption.

FINAL DISPOSITION OF BILLS IN HOUSE COMMITTEES

(Bills remained in House committees pursuant to H.R. 1)

FINANCE

- HB 8 1996 TAX REFORM ACT - 1
- HB 19 CASTLE HAYNE INCORPORATION
- HB 58 VITAMINS DISPENSED BY CHIROPRACTOR/EXEMPT

RULES, CALENDAR, AND OPERATIONS OF THE HOUSE

- HB 9 EAST CAROLINA UNIVERSITY STADIUM
EXPANSION FUNDS
- HB 10 KURE BEACH RENOURISHMENT FUNDS
- HB 11 CAPE FEAR RIVER PROGRAM FUNDS
- HB 13 SUPERIOR COURT JUDGES BY DISTRICT
- HB 14 PELETIER INCORPORATED
- HB 16 WILKES COUNTY RANGER FUNDS
- HB 21 CENTER APPLIED TEXTILE TECHNOLOGY/
CAPITAL FUNDS
- HB 22 SOFT DRINK TAX ON MILK DRINKS
- HB 23 FIRE PENSIONS INCREASED
- HB 24 HIV FUNDS
- HB 25 LAKE GASTON ECONOMIC DEVELOPMENT FUNDS
- HB 26 NARCOTICS TASK FORCE FUNDS
- HB 27 GAMING STUDY COMMISSION
- HB 28 "ANOTHER CHOICE" ADOPTION FUNDS
- HB 31 UNIVERSITY OF NORTH CAROLINA DIABETES
EXPANSION FUND
- HB 32 MUSEUM OF LIFE AND SCIENCE FUNDS
- HB 33 REIMBURSE COUNTIES/INMATE HOUSING
- HB 35 HOUSING TECHNICAL ASSISTANCE FUNDS
- HB 37 OUTLAW DOGFIGHTS
- HB 38 DRIVING WHILE IMPAIRED/FELONY PRIOR
RECORD LEVEL
- HB 39 NC BIOTECHNOLOGY CENTER FUNDS
- HB 40 GUILFORD DETENTION CENTER
- HB 41 GOODWILL INDUSTRIES FUNDS
- HB 42 NO FRILLS PRISONS
- HB 43 REPEAL SOME APPROPRIATION LIMITS
- HB 44 REPEAL 30-DAY TAX PROTEST RULE
- HB 45 REPEAL REVIEW OF LIFE IMPRISONMENT

HB 47 ABOLISH SECOND PRIMARY
HB 48 AIDS PREVENTION FUNDS
HB 49 MOSQUITO CONTROL FUNDS
HB 50 NEW HANOVER COMMUNITY HEALTH FUNDS
HB 51 DOWNTOWN REVITALIZATION ACT
HB 54 TAX LAW CHANGES
HB 55 FUNDS FOR RESERVE FOR FARM LOANS
HB 57 ESTABLISH VASECTOMY FUNDS
HB 59 NC HOUSING TRUST FUNDS
HB 62 TECHNOLOGY OVERSIGHT COMMITTEE
HB 63 WENTWORTH INCORPORATION
HB 64 REDUCE CORPORATE TAX/SCHOOL NEEDS
HB 65 \$50 CREDIT TO HOMEOWNERS
HB 66 CONGRESSIONAL REDISTRICTING
HB 67 LEFT TURN ON RED
HB 68 REFUND INTANGIBLES TAX TO ALL-1
HB 69 NORTH CAROLINA CENTRAL UNIVERSITY
ASBESTOS REMOVAL FUNDS
HB 70 REIDSVILLE ANNEXATIONS
HB 71 PERMANENT ANTIQUE AUTO TAGS
HB 72 CONGRESSIONAL REDISTRICTING
HB 73 CONGRESSIONAL REDISTRICTING
HB 74 REPEAL MILK DRINK TAX
HB 75 QUALITY JOBS AND BUSINESS EXPANSION
HB 76 AMEND ENVIRONMENTAL MANAGEMENT
COMMISSION FEES
HB 77 CONGRESSIONAL REDISTRICTING
HB 78 BUDGET CHANGES
SB 5 QUALITY JOBS AND BUSINESS EXPANSION
SB 24 ABERDEEN ANNEXATION
SB 26 ADMINISTRATIVE PROCEDURES TECHNICAL CHANGES
SB 29 REIDSVILLE ANNEXATION
SJR47 AUTHORIZE BOMBING PENALTIES BILL

BILLS CALENDARED PURSUANT TO 36(a)

Pursuant to Rule 36(a), the following bills were reported from committee, but were not calendared for consideration by the House of Representatives:

HB 3 REENACT CRAVEN ROOM TAX
HB 7 EXPAND HOMESTEAD EXEMPTION
HB 29 ADD TRUSTEES/UNIVERSITY SYSTEM

CONFERENCE COMMITTEE

HB 52 BUDGET CHANGES

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL 18

PCCS 5289, A BILL TO BE ENTITLED AN ACT TO REDUCE TAXES FOR THE CITIZENS OF NORTH CAROLINA AND TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

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- I. REDUCE SALES TAX ON FOOD
- II. REDUCE CORPORATE INCOME TAX
- III. QUALITY JOBS AND BUSINESS EXPANSION TAX CREDITS
- IV. PHASE OUT SOFT DRINK TAX
- V. MODIFY BUNDLED TRANSACTION SALES TAX
- VI. REDUCE INHERITANCE AND GIFT TAXES
- VII. NONITEMIZER CHARITABLE CONTRIBUTION TAX CREDIT
- VIII. EXCLUDE CERTAIN SEVERANCE PAY FROM INCOME TAX
- IX. REDUCE SALES TAX ON FARM AND INDUSTRY FUEL
- X. EFFECTIVE DATES

Section 1. This act shall be known as the William S. Lee Quality Jobs and Business Expansion Act.

PART I. REDUCE SALES TAX ON FOOD

Sec. 1.1. G.S. 105-164.4(a) is amended by adding a new subdivision to read:

"(5) The rate of three percent (3%) applies to the sales price of food that is not otherwise exempt pursuant to G.S. 105-164.13 but would be exempt pursuant to G.S. 105-164.13 if it were purchased with coupons issued under the Food Stamp Program, 7 U.S.C. § 51."

Sec. 1.2. G.S. 105-465 reads as rewritten:

"§ 105-465. County election as to adoption of local sales and use tax.

The board of elections of any county, upon the written request of the board of county ~~commissioners thereof~~, commissioners, or upon receipt of a petition signed by qualified voters of the county equal in number to at least fifteen percent (15%) of the total number of votes cast in the county, at the last preceding election for the office of Governor, shall call a special election for the purpose of submitting to the voters of the county the question of whether a one percent (1%) sales and use tax ~~as hereinafter provided~~ will be levied.

The special election shall be held under the same rules ~~and regulations~~

applicable to the election of members of the General Assembly. No new registration of voters shall be required. All qualified voters in the county who are properly registered not later than 21 days (excluding Saturdays and Sundays) prior to the election shall be entitled to vote at ~~said~~ the election. The county board of elections shall give at least 20 days' public notice prior to the closing of the registration books for the special election.

The county board of ~~election~~ elections shall prepare ballots for the special ~~election which shall contain the words, 'election. The question presented on the ballot shall be~~ 'FOR the one percent (1%) local sales and use tax only on those items presently covered by the four percent (4%) sales and use tax, and the words, on items subject to State sales and use tax at the general State rate and on food' or 'AGAINST the one percent (1%) local sales and use tax only on those items presently covered by the four percent (4%) sales and use tax,' with appropriate squares so that each voter may designate his vote by his cross (X) mark. on items subject to State sales and use tax at the general State rate and on food'.

The county board of elections shall fix the date of the special ~~election; provided, however, election, except~~ that the special election shall not be held on the date or within 60 days of any biennial election for county officers, ~~nor within 60 days thereof, nor within one year from the date of the last preceding special election under this section."~~

Sec. 1.3. G.S. 105-467 reads as rewritten:

"§ 105-467. Scope of sales tax.

The sales tax ~~which that~~ may be imposed under this Article is limited to a tax at the rate of one percent (1%) ~~of: of the following:~~

- (1) The sales price of ~~those articles of~~ tangible personal property ~~now~~ subject to the general rate of sales tax imposed by the State under G.S. 105-164.4(a)(1) and ~~(4b); (a)(4b).~~
- (2) The gross receipts derived from the lease or rental of tangible personal property when the lease or rental of the property is subject to the general rate of sales tax imposed by the State under G.S. ~~105-164.4(a)(2); 105-164.4(a)(2).~~
- (3) The gross receipts derived from the rental of any room or ~~lodging furnished by any hotel, motel, inn, tourist camp or other similar accommodations now~~ subject to the general rate of sales tax imposed by the State under G.S. ~~105-164.4(a)(3); and 105-164.4(a)(3).~~
- (4) The gross receipts derived from services rendered by laundries, dry cleaners, and other businesses ~~now~~ subject to the general rate of sales tax imposed by the State under G.S. 105-164.4(a)(4).
- (5) The sales price of food that is not otherwise exempt from tax pursuant to G.S. 105-164.13 but would be exempt from the

State sales and use tax pursuant to G.S. 105-164.13 if it were purchased with coupons issued under the Food Stamp Program, 7 U.S.C. § 51.

The sales tax authorized by this Article does not apply to sales that are taxable by the State under G.S. 105-164.4 but are not specifically included in subdivisions (1) through (4) of this section.

The State exemptions and exclusions contained in G.S. 105-164.13 and the State refund provisions contained in G.S. 105-164.14 ~~shall apply with equal force and in like manner~~ to the local sales and use tax authorized to be levied and imposed under this Article. A taxing county ~~shall have no authority, with respect to the local sales and use tax imposed under this Article to change, alter, add to or delete any refund provisions contained in G.S. 105-164.14, or any exemptions or exclusions contained in G.S. 105-164.13 or which are elsewhere provided for.~~ may not allow an exemption, exclusion, or refund that is not allowed under the State sales and use tax.

The local sales tax authorized to be imposed and levied under the provisions of this Article ~~shall apply to such retail sales, leases, rentals, the rendering of services, furnishing of rooms, lodgings or accommodations and other applies to taxable transactions which are made, furnished or rendered by retailers whose place of business is located within the taxing county. The tax imposed shall apply to the furnishing of rooms, lodging or other accommodations within the county which are rented to transients.~~ For the purpose of this Article, the situs of a transaction is the location of the retailer's place of business."

Sec. 1.4. G.S. 105-468 reads as rewritten:

"§ 105-468. Scope of use tax.

The use tax ~~which may be imposed under~~ authorized by this Article ~~shall be is a tax~~ at the rate of one percent (1%) of the cost price of each item or article of tangible personal property ~~when it that~~ is not sold in the taxing county but ~~is used, consumed consumed,~~ or stored for use or consumption in the taxing county, except that no tax shall be imposed upon tangible personal property when the property would be taxed by the State at a rate other than the general rate of tax set in G.S. 105-164.4 if it were taxable under G.S. 105-164.6. county. The tax applies to the same items that are subject to tax under G.S. 105-467.

Every retailer who is engaged in business in this State and in the taxing county and is required to collect the use tax levied by G.S. 105-164.6 shall ~~also~~ collect the one percent (1%) use tax when ~~such the~~ property is to be used, ~~consumed consumed,~~ or stored in the taxing county, ~~one percent (1%) use tax to be collected concurrently with the State's use tax; but no retailer not required to collect the use tax levied by G.S. 105-164.6 shall be required to collect the one percent (1%) use tax.~~ county. The use tax contemplated by this section shall be levied against the purchaser, and the purchaser's liability for

the use tax shall be extinguished only upon payment of the use tax to the retailer, where the retailer is required to collect the tax, or to the ~~Secretary of Revenue, or to the taxing county, as appropriate, Secretary,~~ where the retailer is not required to collect the tax.

Where a local sales or use tax has been paid with respect to tangible personal property by the purchaser, either in another taxing county within the State, or in a taxing jurisdiction outside the State where the purpose of the tax is similar in purpose and intent to the tax which may be imposed pursuant to this Article, the tax paid may be credited against the tax imposed under this section by a taxing county upon the same property. If the amount of sales or use tax so paid is less than the amount of the use tax due the taxing county under this section, the purchaser shall pay to the ~~Secretary of Revenue or to the taxing county, as appropriate,~~ an amount equal to the difference between the amount so paid in the other taxing county or jurisdiction and the amount due in the taxing county. The ~~Secretary of Revenue or the taxing county, as appropriate,~~ may require such proof of payment in another taxing county or jurisdiction as is deemed to be necessary. The use tax levied under this Article is not subject to credit for payment of any State sales or use tax not imposed for the benefit and use of counties and municipalities. No credit shall be given under this section for sales or use taxes paid in a taxing jurisdiction outside this State if that taxing jurisdiction does not grant similar credit for sales taxes paid under this Article."

Sec. 1.5. The first paragraph of Section 4 of Chapter 1096 of the 1967 Session Laws, as amended, is amended as follows:

- (1) By deleting the word "and" before subdivision (4).
- (2) By changing the period at the end of subdivision (4) to a semicolon and adding the word "and".
- (3) By adding a new subdivision to read:
"(5) The sales price of food and other items that are not otherwise exempt from tax pursuant to G.S. 105-164.13 but would be exempt from the State sales and use tax pursuant to G.S. 105-164.13 if purchased with coupons issued under the Food Stamp Program, 7 U.S.C. § 51."

Sec. 1.6. Section 5 of Chapter 1096 of the 1967 Session Laws is amended by deleting the first sentence of that section and substituting the following sentences to read:

"The use tax that Mecklenburg County may impose under this division is a tax at the rate of one percent (1%) of the cost price of each item or article of tangible personal property that is not sold but is used, consumed, or stored for use or consumption in Mecklenburg County. The tax applies to the same items that are subject to tax under Section 4 of this act."

Sec. 1.7. Approval under Article 39, 40, or 42 of Chapter 105 of the General Statutes or under the Mecklenburg County Sales and Use Tax Act,

Chapter 1096 of the 1967 Session Laws, as amended, of local sales and use taxes on items subject to State sales and use tax at the general State rate constitutes approval of local sales and use taxes on food.

PART II. REDUCE CORPORATE INCOME TAX

Sec. 2.1. G.S. 105-130.3 reads as rewritten:

"§ 105-130.3. Corporations.

A tax is imposed on the State net income of every C Corporation doing business in this State ~~at seven and seventy-five one-hundredths percent (7.75%) of the corporation's State net income.~~ State. An S Corporation is not subject to the tax levied in this section. The tax is a percentage of the taxpayer's State net income computed as follows:

<u>Income Years Beginning</u>	<u>Tax</u>
<u>In 1997</u>	<u>7.5%</u>
<u>In 1998</u>	<u>7.25%</u>
<u>In 1999</u>	<u>7%</u>
<u>After 1999</u>	<u>6.9%".</u>

Sec. 2.2. G.S. 115C-546.1 reads as rewritten:

"§ 115C-546.1. Creation of Fund; administration.

(a) There is created the Public School Building Capital Fund. The Fund shall be used to assist county governments in meeting their public school building capital needs.

(b) Each calendar quarter, the Secretary of Revenue shall remit to the State Treasurer for credit to the Public School Building Capital Fund an amount equal to ~~two thirty-firsts (2/31)~~ the applicable fraction provided in the table below of the net collections received during the previous quarter by the Department of Revenue under G.S. 105-130.3 minus two million five hundred thousand dollars (\$2,500,000). All funds deposited in the Public School Building Capital Fund shall be invested as provided in G.S. 147-69.2 and G.S. 147-69.3.

<u>Period</u>	<u>Fraction</u>
<u>10/1/97 to 9/30/98</u>	<u>One-fifteenth (1/15)</u>
<u>10/1/98 to 9/30/99</u>	<u>Two twenty-ninths (2/29)</u>
<u>10/1/99 to 9/30/00</u>	<u>One-fourteenth (1/14)</u>
<u>After 9/30/00</u>	<u>Five sixty-ninths (5/69)</u>

(c) The Fund shall be administered by the Office of State Budget and Management."

PART III. QUALITY JOBS AND BUSINESS EXPANSION TAX CREDITS

Sec. 3.1. Chapter 105 of the General Statutes is amended by adding a new Article 3A entitled "Tax Incentives for New and Expanding Businesses."

Sec. 3.2. G.S. 105-130.40 is recodified as G.S. 105-129.8 in Article

3A of Chapter 105 of the General Statutes.

Sec. 3.3. Article 3A of Chapter 105 of the General Statutes, as enacted by this act, reads as rewritten:

"ARTICLE 3A.

"Tax Incentives for New and Expanding Businesses.

"§ 105-129.2. Definitions.

The following definitions apply in this Article:

- (1) Cost. -- Defined in section 179 of the Code.
- (2) Data processing. -- Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census.
- (3) Enterprise tier. -- The classification assigned to an area pursuant to G.S. 105-129.3.
- (4) Full-time job. -- A position that requires at least 1,600 hours of work per year and is intended to be held by one employee during the entire year. A full-time employee is an employee who holds a full-time job.
- (5) Machinery and equipment. -- Engines, machinery, tools, and implements that are capitalized by the taxpayer for tax purposes under the Code and are used or designed to be used in manufacturing or processing, warehousing and distribution, or data processing. The term does not include real property as defined in G.S. 105-273 or rolling stock as defined in G.S. 105-333.
- (6) Manufacturing and processing. -- Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census.
- (7) Purchase. -- Defined in section 179 of the Code.
- (8) Warehousing and distribution. -- Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census.

"§ 105-129.3. Enterprise tier designation.

(a) Tiers Defined. -- An enterprise tier one area is a county whose enterprise factor is one of the 10 highest in the State. An enterprise tier two area is a county whose enterprise factor is one of the next 15 highest in the State. An enterprise tier three area is a county whose enterprise factor is one of the next 25 highest in the State. An enterprise tier four area is a county whose enterprise factor is one of the next 25 highest in the State. An enterprise tier five area is any area that is not in a lower-numbered enterprise tier.

(b) Annual Designation. -- Each year, on or before December 31, the Secretary of Commerce shall assign to each county in the State an enterprise factor that is the sum of the following:

- (1) The county's rank in a ranking of counties by rate of unemployment from lowest to highest.
- (2) The county's rank in a ranking of counties by per capita income from highest to lowest.
- (3) The county's rank in a ranking of counties by percentage growth in population from highest to lowest.

The Secretary of Commerce shall then rank all the counties within the State according to their enterprise factor from highest to lowest, identify all the areas of the State by enterprise tier, and provide this information to the Secretary of Revenue. An enterprise tier designation is effective only for the calendar year following the designation.

In measuring rates of unemployment and per capita income, the Secretary shall use the latest available data published by a State or federal agency generally recognized as having expertise concerning the data. In measuring population growth, the Secretary shall use the most recent estimates of population certified by the State Planning Officer.

"§ 105-129.4. Eligibility; forfeiture.

(a) Type of Business. -- A taxpayer is eligible for a credit allowed by this Article if the taxpayer engages in manufacturing or processing, warehousing or distributing, or data processing, and the jobs with respect to which a credit is claimed are created in that business, the machinery and equipment with respect to which a credit is claimed are used in that business, and the research and development for which a credit is claimed are carried out as part of that business.

(b) Wage Standard. -- A taxpayer is eligible for the credit for creating jobs or the credit for worker training if the jobs for which the credit is claimed meet the wage standard at the time the taxpayer applies for the credit. A taxpayer is eligible for the credit for investing in machinery and equipment or the credit for research and development if the jobs at the location with respect to which the credit is claimed meet the wage standard at the time the taxpayer applies for the credit. Jobs meet the wage standard if they pay an average weekly wage that is at least ten percent (10%) above the average weekly wage paid in the county in which the jobs will be located. In calculating the average weekly wage of jobs, positions that pay a wage or salary at a rate that exceeds one hundred thousand dollars (\$100,000) a year shall be excluded. For the purpose of this subsection, the average wage in a county is the average wage for all insured industries in the county as computed by the Employment Security Commission for the most recent period for which data are available.

(c) Worker Training. -- A taxpayer is eligible for the tax credit for worker training only for training workers who occupy jobs for which the taxpayer is eligible to claim an installment of the credit for creating jobs or which are full-time positions at a location with respect to which the taxpayer is eligible to claim an installment of the credit for investing in machinery and equipment for

the taxable year.

The credit for worker training is allowed only with respect to employees in positions not classified as exempt under the Fair Labor Standards Act, 29 U.S.C. § 213(a)(1) and for expenditures for training that would be eligible for expenditure or reimbursement under the Department of Community Colleges' New and Expanding Industry Program, as determined by guidelines adopted by the State Board of Community Colleges. To establish eligibility, the taxpayer must obtain as part of the application process under G.S. 105-129.6 the certification of the Department of Community Colleges that the taxpayer's planned worker training would satisfy the requirements of this paragraph. A taxpayer shall apply to the Department of Community Colleges for this certification. The application must be on a form provided by the Department of Community Colleges, must provide a detailed plan of the worker training to be provided, and must contain any information required by the Department of Community Colleges to determine whether the requirements of this paragraph will be satisfied. If the Department of Community Colleges determines that the planned worker training meets the requirements of this paragraph, the Department of Community Colleges shall issue a certificate describing the location with respect to which the credit is claimed and stating that the planned worker training meets the requirements of this paragraph. The State Board of Community Colleges may adopt rules in accordance with Chapter 150B of the General Statutes that are needed to carry out its responsibilities under this paragraph.

(d) Forfeiture. -- A taxpayer forfeits a credit allowed under this Article if the taxpayer was not eligible for the credit at the time the taxpayer applied for the credit. A taxpayer that forfeits a credit under this Article is liable for all past taxes avoided as a result of the credit plus interest at the rate established under G.S. 105-241.1(i), computed from the date the taxes would have been due if the credit had not been allowed. The past taxes and interest are due 30 days after the date the credit is forfeited; a taxpayer that fails to pay the past taxes and interest by the due date is subject to the penalties provided in G.S. 105-236. If a taxpayer forfeits the credit for creating jobs or the credit for investing in machinery and equipment, the taxpayer also forfeits any credit for worker training claimed for the jobs for which the credit for creating jobs was claimed or the jobs at the location with respect to which the credit for investing in machinery and equipment was claimed.

(e) Change in Ownership of Business. -- The sale, merger, acquisition, or bankruptcy of a business, or any other transaction by which an existing business reformulates itself as another business, does not create new eligibility in a succeeding business with respect to credits for which the predecessor was not eligible under this Article. A successor business may, however, take any installment of or carried-over portion of a credit that its predecessor could have taken if it had a tax liability.

"§ 105-129.5. Tax election; cap.

(a) Tax Election. -- The credits provided in this Article are allowed against the franchise tax levied in Article 3 of this Chapter and the income taxes levied in Article 4 of this Chapter. The taxpayer shall elect the tax against which a credit will be claimed when filing the application for the credit. This election is binding. Any carryforwards of the credit must be claimed against the same tax elected in the application.

(b) Cap. -- The credits allowed under this Article may not exceed fifty percent (50%) of the tax against which they are claimed for the taxable year, reduced by the sum of all other credits allowed against that tax, except tax payments made by or on behalf of the taxpayer. This limitation applies to the cumulative amount of credit, including carryforwards, claimed by the taxpayer under this Article against each tax for the taxable year. Any unused portion of the credit may be carried forward for the succeeding five years.

"§ 105-129.6. Application; reports.

(a) Application. -- To claim the credits allowed by this Article, the taxpayer must provide with the tax return the certification of the Secretary of Commerce that the taxpayer meets all of the eligibility requirements of G.S. 105-129.4 with respect to each credit. A taxpayer shall apply to the Secretary of Commerce for certification of eligibility. The application must be on a form provided by the Secretary of Commerce, must specify the credit and the tax against which it will be claimed, and must contain any information necessary for the Secretary of Commerce to determine whether the taxpayer meets the eligibility requirements. If the Secretary determines that the taxpayer meets all of the eligibility requirements of G.S. 105-129.4 with respect to a credit, the Secretary shall issue a certificate describing the location with respect to which the credit is claimed, specifying the tax against which the credit will be claimed, outlining the eligibility requirements for the credit, and stating that the taxpayer meets the eligibility requirements. If the Secretary determines that the taxpayer does not meet all of the eligibility requirements of G.S. 105-129.4 with respect to a credit, the Secretary must advise the taxpayer in writing of the eligibility requirements the taxpayer fails to meet. The Secretary of Commerce may adopt rules in accordance with Chapter 150B of the General Statutes that are needed to carry out the Secretary of Commerce's responsibilities under this section.

(b) Reports. -- The Department of Commerce shall report to the Department of Revenue and to the Fiscal Research Division of the General Assembly by May 1 of each year the following information for the 12-month period ending the preceding April 1:

- (1) The number of applications for each credit allowed in this Article.
- (2) The number and enterprise tier area of new jobs with respect to which credits were applied for.

- (3) The cost of machinery and equipment with respect to which credits were applied for.

"§ 105-129.7. Substantiation.

To claim a credit allowed by this Article, the taxpayer must provide any information required by the Secretary of Revenue. Every taxpayer claiming a credit under this Article shall maintain and make available for inspection by the Secretary of Revenue any records the Secretary considers necessary to determine and verify the amount of the credit to which the taxpayer is entitled. The burden of proving eligibility for the credit and the amount of the credit shall rest upon the taxpayer, and no credit shall be allowed to a taxpayer that fails to maintain adequate records or to make them available for inspection.

"§ 105-129.8. Credit for creating jobs in severely distressed county. jobs.

(a) Credit. -- A corporation that (i) for at least 40 weeks during the year has at least nine employees and (ii) is located, for part or all of its taxable year, in a severely distressed county taxpayer that meets the eligibility requirements set out in G.S. 105-129.4, has five or more employees for at least 40 weeks during the taxable year, may qualify for a credit against the tax imposed by this Division by creating new full-time jobs with the corporation in the severely distressed county during that year. A corporation and that hires an additional full-time employee during that year to fill a position located in a severely distressed county this State is allowed a credit of two thousand eight hundred dollars (\$2,800) for the additional employee. for creating a new full-time job. The amount of the credit for each new full-time job created is set out in the table below and is based on the enterprise tier of the area in which the position is located:

<u>Area Enterprise Tier</u>	<u>Amount of Credit</u>
<u>Tier One</u>	<u>\$12,500</u>
<u>Tier Two</u>	<u>4,000</u>
<u>Tier Three</u>	<u>3,000</u>
<u>Tier Four</u>	<u>1,000</u>
<u>Tier Five</u>	<u>500</u>

A position is located in a county an area if (i) at least more than fifty percent (50%) of the employee's duties are performed in the county, or (ii) the employee is a resident of the county. area. The credit may not be taken in the income taxable year in which the additional employee is hired. Instead, the credit shall be taken in equal installments over the four years following the income taxable year in which the additional employee was hired and shall be conditioned on the continued employment by the corporation taxpayer of the number of full-time employees the corporation taxpayer had upon hiring the employee that caused the corporation taxpayer to qualify for the credit. If;

If, in one of the four years in which the installment of a credit accrues, the number of the corporation's taxpayer's full-time employees falls below the number of full-time employees the company taxpayer had in the year in which

~~the corporation taxpayer qualified for the credit or the position filled by the employee is moved to another county; credit, the credit expires and the corporation taxpayer may not take any remaining installment of the credit. The corporation taxpayer may, however, take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under subsection (e) of this section. G.S. 105-129.5.~~

Jobs transferred from one area in the State to another area in the State shall not be considered new jobs for purposes of this section. If, in one of the four years in which the installment of a credit accrues, the position filled by the employee is moved to an area in a higher- or lower-numbered enterprise tier, the remaining installments of the credit shall be calculated as if the position had been created initially in the area to which it was moved.

For the purposes of this section, a full-time job is a position that requires at least 1,600 hours of work per year and is intended to be held by one employee during the entire year. A full-time employee is an employee who holds a full-time job.

(b) Repealed by Session Laws 1989, c. 111, s. 1.

~~(b1) Eligibility. — A corporation is eligible for the tax credit allowed by this section only if it obtained a credit under this section for taxable year 1988 or the Department of Commerce determines that it engages in the manufacturing of goods, or that it engages in an industrial activity such as the processing of foods, raw materials, chemicals and process agents, goods in process, or finished products.~~

~~(e) County Designation. — A severely distressed county is a county designated as severely distressed by the Secretary of Commerce. Each year, on or before December 31, the Secretary of Commerce shall designate which counties are considered severely distressed, and shall provide that information to the Secretary of Revenue. A county is considered severely distressed if its distress factor is one of the fifty highest in the State.~~

~~The Secretary shall assign to each county in the State a distress factor that is the sum of the following:~~

- ~~(1) The county's rank in a ranking of counties by rate of unemployment from lowest to highest.~~
- ~~(2) The county's rank in a ranking of counties by per capita income from highest to lowest.~~
- ~~(3) The county's rank in a ranking of counties by percentage growth in population from lowest to highest.~~

~~In measuring rates of unemployment and per capita income, the Secretary shall use the latest available data published by a State or federal agency generally recognized as having expertise concerning the data. In measuring population growth, the Secretary shall use the most recent estimates of population certified by the State Planning Officer. A designation as a severely distressed county is effective only for the calendar year following the~~

designation.

(d) ~~Planned Expansion. -- A corporation that, during the year in which a county is designated as a severely distressed county, taxpayer that~~ signs a letter of commitment with the Department of Commerce to create at least twenty new full-time jobs in ~~that distressed county~~ a specific area within two years of the date the letter is signed qualifies for the credit in the amount allowed by this section based on the area's enterprise tier for that year even though the employees are not hired that year. The credit shall be available in the ~~income~~ taxable year after at least twenty employees have been hired if ~~such the~~ the hirings are within the two-year commitment period. The conditions outlined in subsection (a) apply to a credit taken under this subsection except that if the ~~county is no longer designated a severely distressed county~~ area is redesignated to a higher-numbered enterprise tier after the year the letter of commitment was signed, the credit is ~~still available.~~ allowed based on the area's enterprise tier for the year the letter was signed. If the ~~corporation taxpayer~~ does not hire the employees within the two-year period, the ~~corporation taxpayer~~ does not qualify for the credit. However, if the ~~corporation taxpayer~~ qualifies for a credit under subsection (a) in the year any new employees are hired, ~~it~~ the taxpayer may take the credit under that subsection.

(e) ~~Limitations. -- The sale, merger, acquisition, or bankruptcy of a business, or any other transaction by which an existing business reformulates itself as another business, does not create new eligibility in a succeeding business with respect to jobs for which the predecessor was not eligible under this section. A successor corporation may, however, take any installment of or carried-over portion of a credit that its predecessor could have taken if it had taxable income.~~

Jobs transferred from one county in the State to another county in the State shall not be considered new jobs for purposes of this section. A credit taken under this section may not exceed fifty percent (50%) of the tax imposed by this Division for the taxable year, reduced by the sum of all other credits allowed under this Division, except tax payments made by or on behalf of the corporation. Any unused portion of the credit may be carried forward for the succeeding five years.

(f) ~~Substantiation. -- Every corporation claiming the credit provided in subsection (a) shall maintain and make available for inspection by the Secretary of Revenue or his agent such records as may be necessary to determine and verify the amount of the credit to which it is entitled. The burden of proving eligibility for the credit and the amount of the credit shall rest upon the corporation, and no credit shall be allowed to a corporation that fails to maintain adequate records or to make them available for inspection.~~

"§ 105-129.9. Credit for investing in machinery and equipment.

(a) Credit. -- A taxpayer that has purchased machinery and equipment and

places it in service in this State during the taxable year is allowed a credit equal to seven percent (7%) of the excess of the eligible investment amount over the applicable threshold. The credit may not be taken for the taxable year in which the equipment is placed in service but shall be taken in equal installments over the seven years following the taxable year in which the equipment is placed in service.

(b) Eligible Investment Amount. -- The eligible investment amount is the lesser of (i) the cost of the machinery and equipment and (ii) the amount by which the cost of all of the taxpayer's machinery and equipment that is in service in this State on the last day of the taxable year exceeds the cost of all of the taxpayer's machinery and equipment that was in service in this State on the last day of the base year. The base year is that year, of the three immediately preceding taxable years, in which the taxpayer had the most machinery and equipment in service in this State.

(c) Threshold. -- The applicable threshold is the appropriate amount set out in the following table based on the enterprise tier of the area where the machinery and equipment are placed in service during the taxable year. If the taxpayer places machinery and equipment in service in more than one area during the taxable year, the threshold applies separately to the machinery and equipment placed in service in each area.

<u>Area Enterprise Tier</u>	<u>Threshold</u>
<u>Tier One</u>	<u>\$ -0-</u>
<u>Tier Two</u>	<u>100,000</u>
<u>Tier Three</u>	<u>200,000</u>
<u>Tier Four</u>	<u>500,000</u>
<u>Tier Five</u>	<u>1,000,000</u>

(d) Expiration. -- If, in one of the seven years in which the installment of a credit accrues, the machinery and equipment with respect to which the credit was claimed are sold or moved out of State, the credit expires and the taxpayer may not take any remaining installment of the credit. The taxpayer may, however, take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under G.S. 105-129.5.

If, in one of the seven years in which the installment of a credit accrues, the machinery and equipment with respect to which the credit was claimed are moved to an area in a higher-numbered enterprise tier, the remaining installments of the credit are allowed only to the extent they would have been allowed if the machinery and equipment had been placed in service initially in the area to which they were moved.

"§ 105-129.10. Credit for research and development.

A taxpayer that claims for the taxable year a federal income tax credit under section 41 of the Code for increasing research activities is allowed a credit equal to five percent (5%) of the State's apportioned share of the taxpayer's expenditures for increasing research activities. The State's apportioned share

of a taxpayer's expenditures for increasing research activities is the excess of the taxpayer's qualified research expenses for the taxable year over the base amount, as determined under section 41 of the Code, multiplied by a percentage equal to the ratio of the taxpayer's qualified research expenses in this State for the taxable year to the taxpayer's total qualified research expenses for the taxable year. As used in this section, the terms 'qualified research expenses' and 'base amount' have the meaning provided in section 41 of the Code.

"§ 105-129.11. Credit for worker training.

(a) Credit. -- A taxpayer that provides worker training for five or more of its eligible employees during the taxable year is allowed a credit equal to fifty percent (50%) of its eligible expenditures for the training. For positions located in an enterprise tier one area, the credit may not exceed one thousand dollars (\$1,000) per employee trained during the taxable year. For other positions, the credit may not exceed five hundred dollars (\$500.00) per employee trained during the taxable year. A position is located in an area if more than fifty percent (50%) of the employee's duties are performed in the area.

(b) Eligibility. -- The eligibility of a taxpayer's expenditures and employees is determined as provided in G.S. 105-129.4."

Sec. 3.4. G.S. 105-151.17 is recodified as G.S. 105-129.8. G.S. 105-129.8, as rewritten by this act, incorporates both G.S. 105-130.40 and G.S. 105-151.17.

Sec. 3.5. G.S. 143B-437A reads as rewritten:

"§ 143B-437A. Industrial Development Fund.

(a) Creation and Purpose of Fund. -- There is created in the Department of Commerce the Industrial Development Fund to provide funds to assist the local government units of the most economically ~~depressed~~ distressed counties in the State in creating jobs in ~~qualified~~ certain industries. ~~As used in this section, the term 'qualified industry' means the manufacturing of goods or the processing of foods, raw materials, chemicals and process agents, goods in process, or finished products.~~ The Department of Commerce shall adopt rules providing for the administration of the program. Those rules shall include the following: following provisions, which shall apply to each grant from the fund:

- (1) The funds shall be used for (i) installation of or purchases of equipment for qualified industries, manufacturing or processing, (ii) structural repairs, improvements, or renovations of existing buildings to be used for expansion of qualified industries, manufacturing or processing, or (iii) construction of or improvements to new or existing water, sewer, gas, or electrical utility distribution lines or equipment for existing or new or proposed industrial buildings to be used

~~for qualified industrial operations, or (iv) in the case of counties designated as severely distressed counties under G.S. 105-130.40(e) or G.S. 105-151.17(e) or units of local government within those counties, construction of or improvement to new or existing water, sewer, gas, or electrical utility distribution lines or equipment to serve new or proposed industrial buildings to be used for qualified industrial operations.~~ manufacturing or processing operations. To be eligible for funding, the water, sewer, gas, or electrical utility lines or facilities shall be located on the site of the building or, if not located on the site, shall be directly related to the operation of the specific ~~qualified industrial~~ manufacturing or processing activity.

- (1a) The funds shall be used for projects located in economically distressed counties except that ~~However,~~ the Secretary of Commerce may use up to one hundred thousand dollars (\$100,000) to provide emergency economic development assistance in any county ~~which~~ that is documented to be experiencing a major economic dislocation.
- (2) The funds shall be used by the city and county governments for projects that will directly result in the creation of new jobs. The funds shall be expended at a rate of ~~two thousand four hundred dollars (\$2,400)~~ four thousand dollars (\$4,000) per new job created up to a maximum of ~~two hundred fifty thousand dollars (\$250,000)~~ four hundred thousand dollars (\$400,000) per project.
- (3) There shall be no local match requirement if the project is located in an enterprise tier one area as defined in G.S. 105-129.3.

(a1) Definitions. -- The following definitions apply in this section:

- (1) Economically distressed county. -- A county designated as an enterprise tier one, two, or three area pursuant to G.S. 105-129.3.
- (2) Major economic dislocation. -- The actual or imminent loss of 500 or more manufacturing jobs in the county or of a number of manufacturing jobs equal to at least ten percent (10%) of the existing manufacturing workforce in the county.
- (3) Manufacturing and processing. -- Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census.

~~(b) — Each year, on or before December 31, the Secretary of Commerce shall designate the most economically distressed counties in the State; this designation shall remain effective for the following calendar year. The~~

~~Secretary of Commerce shall determine which counties are the most economically distressed counties in the State based on (i) rate of unemployment, (ii) per capita income, and (iii) relative population and work force growth or lack of growth, as determined by the Secretary of Commerce.~~

(b1) Utility Account. -- There is created within the Industrial Development Fund a special account to be known as the Utility Account to provide funds to assist the local government units of enterprise tier one areas, as defined in G.S. 105-129.3, in creating jobs in manufacturing and processing, warehousing and distribution, and data processing, as defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census. The Department of Commerce shall adopt rules providing for the administration of the program. Except as otherwise provided in this subsection, those rules shall be consistent with the rules adopted with respect to the Industrial Development Fund. The rules shall provide that the funds in the Utility Account may be used only for construction of or improvements to new or existing water, sewer, gas, or electrical utility distribution lines or equipment for existing or new or proposed industrial buildings to be used for industrial operations in manufacturing or processing, warehousing or distribution, or data processing. To be eligible for funding, the water, sewer, gas, or electrical utility lines or facilities shall be located on the site of the building or, if not located on the site, shall be directly related to the operation of the specific industrial activity. There shall be no maximum funding amount per new job to be created or per project.

(c) Reports. -- The Department of Commerce shall report annually to the General Assembly concerning the applications made to the fund and the payments made from the fund and the impact of the payments on job creation in the State. The Department of Commerce shall also report quarterly to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the use of the moneys in the fund, including information regarding to whom payments were made, in what amounts, and for what purposes.

(d) As used in this section, 'major economic dislocation' means the actual or imminent loss of:

- (1) 500 or more manufacturing jobs in the county; or
- (2) A number of manufacturing jobs which is equal to or more than ten percent (10%) of the existing manufacturing workforce in the county."

Sec. 3.6. Part 2 of Article 10 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-437D. Economic development block grants.

The Department of Commerce shall adopt guidelines for the awarding of Community Development Block Grants for economic development that will ensure that no local match is required for grants awarded for projects located

in enterprise tier one areas as defined in G.S. 105-129.3 and, to the extent practicable, that priority consideration for grants is given to projects located in enterprise tier one areas as defined in G.S. 105-129.3."

Sec. 3.7. G.S. 105-241.1(e), as amended by Chapter 646 of the 1995 Session Laws, reads as rewritten:

"(e) Statute of Limitations. -- There is no statute of limitations and the Secretary may propose an assessment of tax due from a taxpayer at any time if (i) the taxpayer did not file a proper application for a license or did not file a return, (ii) the taxpayer filed a false or fraudulent application or return, or (iii) the taxpayer attempted in any manner to fraudulently evade or defeat the tax.

If a taxpayer files a return reflecting a federal determination as provided in G.S. 105-29, 105-130.20, 105-159, 105-160.8, 105-163.6A, or 105-197.1, the Secretary must propose an assessment of any tax due within one year after the return is filed or within three years of when the original return was filed or due to be filed, whichever is later. If there is a federal determination and the taxpayer does not file the required return, the Secretary must propose an assessment of any tax due within three years after the date the Secretary received the final report of the federal determination. If a taxpayer forfeits a tax credit pursuant to G.S. ~~105-163.014~~, 105-163.014 or Article 3A of this Chapter, the Secretary must assess any tax due as a result of the forfeiture within three years after the date of the forfeiture. If a taxpayer elects under section 1033(a)(2)(A) of the Code not to recognize gain from involuntary conversion of property into money, the Secretary must assess any tax due as a result of the conversion or election within the applicable period provided under section 1033(a)(2)(C) or section 1033(a)(2)(D) of the Code. If a taxpayer sells at a gain the taxpayer's principal residence, the Secretary must assess any tax due as a result of the sale within the period provided under section 1034(j) of the Code.

In all other cases, the Secretary must propose an assessment of any tax due from a taxpayer within three years after the date the taxpayer filed an application for a license or a return or the date the application or return was required by law to be filed, whichever is later.

If the Secretary proposes an assessment of tax within the time provided in this section, the final assessment of the tax is timely.

A taxpayer may make a written waiver of any of the limitations of time set out in this subsection, for either a definite or an indefinite time. If the Secretary accepts the taxpayer's waiver, the Secretary may propose an assessment at any time within the time extended by the waiver."

Sec. 3.8. G.S. 153A-376(f) reads as rewritten:

"(f) All program income from Economic Development Grants from the Small Cities Community Development Block Grant Program may be retained by recipient ~~severely~~ economically distressed counties', as ~~designated under~~

G.S. ~~105-130.40(e)~~, defined in G.S. 143B-437A, for the purposes of creating local economic development revolving loan funds. Such program income derived through the use by counties of Small Cities Community Development Block Grant money includes but is not limited to: (i) payment of principal and interest on loans made by the county using Community Development Block Grant Funds; (ii) proceeds from the lease or disposition of real property acquired with Community Development Block Grant Funds; and (iii) any late fees associated with loan or lease payments in (i) and (ii) above. The local economic development revolving loan fund set up by the county shall fund only those activities eligible under Title I of the federal Housing and Community Development Act of 1974, as amended (P.L. 93-383), and shall meet at least one of the three national objectives of the Housing and Community Development Act. Any expiration of G.S. ~~105-130.40(e)~~ 143B-437A or G.S. 105-129.3 shall not affect this subsection as to designations of ~~severely~~ economically distressed counties made prior to its expiration."

Sec. 3.9. G.S. 160A-456(e1) reads as rewritten:

"(e1) All program income from Economic Development Grants from the Small Cities Community Development Block Grant Program may be retained by recipient cities in '~~severely~~ economically distressed counties', as ~~designated under G.S. 105-130.40(e)~~, defined in G.S. 143B-437A, for the purposes of creating local economic development revolving loan funds. Such program income derived through the use by cities of Small Cities Community Development Block Grant money includes but is not limited to: (i) payment of principal and interest on loans made by the county using Community Development Block Grant Funds; (ii) proceeds from the lease or disposition of real property acquired with Community Development Block Grant Funds; and (iii) any late fees associated with loan or lease payments in (i) and (ii) above. The local economic development revolving loan fund set up by the city shall fund only those activities eligible under Title I of the federal Housing and Community Development Act of 1974, as amended (P.L. 93-383), and shall meet at least one of the three national objectives of the Housing and Community Development Act. Any expiration of G.S. ~~105-130.40(e)~~ 143B-437A or G.S. 105-129.3 shall not affect this subsection as to designations of ~~severely~~ economically distressed counties made prior to its expiration."

Sec. 3.10. Part 2 of Article 10 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-437D. Regional development.

The Department of Commerce shall review the Economic Development Board's annual report on economic development to evaluate the progress of development in each of the economic regions defined by the Board in its Comprehensive Strategic Economic Development Plan. In its recruitment and development work, the Department shall strive for balance and equality among the economic regions and shall use its best efforts to locate new industries in

the less developed areas of the State."

Sec. 3.11. Notwithstanding the provisions of G.S.105-129.10, as enacted by this act, if a taxpayer relocates an employee to this State during 1996, any in-house research expenses the taxpayer incurs with respect to that employee during 1996, either before or after the employee is relocated to this State, are considered in-house research expenses in this State for the purposes of G.S. 105-129.10. Notwithstanding the definition of "Code" in G.S. 105-228.90, if the federal tax credit for increasing research activities that was formerly allowed under section 41 of the Code is reenacted, the credit for research and development allowed in Article 3A of Chapter 105 of the General Statutes, as enacted by this act, becomes effective for the same taxable year for which the reenacted federal credit becomes effective.

Sec. 3.12. Chapter 105 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 3B.

"Business Tax Credit.

"§ 105-129.15. Definitions.

The following definitions apply in this Article:

- (1) Business property. -- Tangible personal property that is used by the taxpayer in connection with a business or for the production of income and is capitalized by the taxpayer for tax purposes under the Code. The term does not include, however, a luxury passenger automobile taxable under section 4001 of the Code or a watercraft used principally for entertainment and pleasure outings for which no admission is charged.
- (2) Cost. -- Defined in section 179 of the Code.
- (3) Purchase. -- Defined in section 179 of the Code.

"§ 105-129.16. Credit for investing in business property.

(a) Credit. -- A taxpayer that has purchased business property and places it in service in this State during the taxable year is allowed a credit equal to four and one-half percent (4.5%) of the cost of the property. The maximum credit allowed a taxpayer for property placed in service during a taxable year is four thousand five hundred dollars (\$4,500). The entire credit may not be taken for the taxable year in which the property is placed in service but must be taken in five equal installments beginning with the taxable year in which the property is placed in service.

(b) Expiration. -- If, in one of the five years in which the installment of a credit accrues, the business property with respect to which the credit was claimed is sold or moved out of State, the credit expires and the taxpayer may not take any remaining installment of the credit. The taxpayer may, however, take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under G.S. 105-129.17.

(c) No Double Credit. -- A taxpayer that claims the credit allowed under Article 3A of this Chapter with respect to business property may not take the credit allowed in this section with respect to the same property.

"§ 105-129.17. Tax election; cap.

(a) Tax Election. -- The credit allowed in this Article is allowed against the franchise tax levied in Article 3 of this Chapter or the income taxes levied in Article 4 of this Chapter. The taxpayer must elect the tax against which the credit will be claimed when filing the return on which the first installment of the credit is claimed. This election is binding. Any carryforwards of the credit must be claimed against the same tax.

(b) Cap. -- The credit allowed in this Article may not exceed fifty percent (50%) of the tax against which it is claimed for the taxable year, reduced by the sum of all other credits allowed against that tax, except tax payments made by or on behalf of the taxpayer. This limitation applies to the cumulative amount of credit, including carryforwards, claimed by the taxpayer under this Article against each tax for the taxable year. Any unused portion of the credit may be carried forward for the succeeding five years.

"§ 105-129.18. Substantiation.

To claim the credit allowed by this Article, the taxpayer must provide any information required by the Secretary of Revenue. Every taxpayer claiming a credit under this Article must maintain and make available for inspection by the Secretary of Revenue any records the Secretary considers necessary to determine and verify the amount of the credit to which the taxpayer is entitled. The burden of proving eligibility for the credit and the amount of the credit rests upon the taxpayer, and no credit may be allowed to a taxpayer that fails to maintain adequate records or to make them available for inspection.

"§ 105-129.19. Reports.

The Department of Revenue shall report to the Legislative Research Commission and to the Fiscal Research Division of the General Assembly by May 1 of each year the following information for the 12-month period ending the preceding April 1:

- (1) The number of taxpayers that claimed the credit allowed in this Article.
- (2) The cost of business property with respect to which credits were claimed.
- (3) The total cost to the General Fund of the credits claimed."

PART IV. PHASE OUT SOFT DRINK TAX

Sec. 4.1. G.S. 105-113.45, as amended by Chapter 646 of the 1995 Session Laws, reads as rewritten:

"§ 105-113.45. Excise taxes on soft drinks and base products.

(a) Bottled Soft Drinks. -- An excise tax of three-fourths cent (3/4¢) at the applicable rate provided in the following table is levied on each bottled soft

drink.

<u>Date Tax Accrues</u>	<u>Rate</u>
From 7/1/96 until 6/30/97	<u>3/4¢</u>
From 7/1/97 until 6/30/98	<u>1/2¢</u>
After 7/1/98	<u>1/4¢</u>

(b) Repealed by Session Laws 1991, c. 689, s. 276.

(c) Liquid Base Products. -- An excise tax at the ~~rate of seventy-five cents (75¢) a gallon~~ applicable per-gallon rate provided in the table below is levied on each individual container of a liquid base product. The tax applies regardless whether the liquid base product is diverted to and used for a purpose other than making a soft drink.

<u>Date Tax Accrues</u>	<u>Rate</u>
From 7/1/96 until 6/30/97	<u>75¢</u>
From 7/1/97 until 6/30/98	<u>50¢</u>
After 7/1/98	<u>25¢</u>

(d) Dry Base Products. -- An excise tax is levied on each individual container of a dry base product ~~at the rate of:~~ at:

- (1) ~~Of three-fourths cent (3/4¢) an ounce~~ The applicable per-ounce rate in the table below if the dry base product is not converted into a syrup or other liquid base product before it is used to make a soft drink.

<u>Date Tax Accrues</u>	<u>Rate</u>
From 7/1/96 until 6/30/97	<u>3/4¢</u>
From 7/1/97 until 6/30/98	<u>1/2¢</u>
After 7/1/98	<u>1/4¢</u>

- (2) ~~That The rate that~~ would apply under subsection (c) to the resulting liquid base product if the dry base product is converted into a liquid base product before it is used to make a soft drink.

(e) Repealed by Session Laws 1991, c. 689, s. 276."

Sec. 4.2. Effective July 1, 1999, Article 2B of Chapter 105 of the General Statutes, as amended by this act, is repealed. The Secretary shall retain from collections under Article 2 of Chapter 105 of the General Statutes the cost of refunding the taxes levied in Article 2B of Chapter 105 of the General Statutes.

PART V. MODIFY BUNDLED TRANSACTION SALES TAX

Sec. 5.1. Article 5 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-164.12B. Bundled transactions.

(a) Bundled Transaction Defined. -- A bundled transaction is a transaction in which all of the following conditions are met:

- (1) A seller transfers an item of tangible personal property to a

consumer on the condition that the consumer enter into an agreement to purchase services on an ongoing basis for a minimum period of at least six months.

(2) The agreement requires the consumer to pay a cancellation fee to the service provider if the consumer cancels the contract for services within the minimum period.

(3) For the item transferred, the seller:

a. Does not charge the consumer; or

b. Charges the consumer a price that, after any discount or rebate the seller gives the consumer, is below the cost price the seller paid for the item.

(b) Bundled Transaction Is a Sale; Sales Price. -- If a seller transfers an item of tangible personal property as part of a bundled transaction, a sale has occurred, and the sales price of the item is presumed to be the retail price at which the item would sell if no agreement for services were entered into. Part of this price may be paid by the consumer at the time of the transfer; the remainder of the price is considered paid as part of the price to be paid for the services contracted for. Sales tax is due on any part of the price paid by the consumer at the time of the transfer.

(c) No Additional Sales Tax if Services Taxed. -- If the services for which the consumer was required to contract are subject to services taxes at a combined rate equal to or greater than the combined State and local general rate of sales and use tax, then no additional sales tax is due on the transfer. However, if the consumer cancels the contract for services before the expiration of the minimum period, sales tax applies to the cancellation fee paid by the consumer.

(d) Additional Sales Tax if Services Not Taxed. -- If the services for which the consumer was required to contract are not subject to services taxes at a combined rate equal to or greater than the combined State and local general rate of sales and use tax, then sales tax is due at the time of the transfer on the remainder of the sales price not paid at that time.

(e) Services Taxes Defined. -- For the purpose of this section, the term 'services taxes' means any combination of State franchise tax on gross receipts, State sales tax, or local sales tax levied on the sale of or gross receipts from the services.

(f) Determination of Cost Price. -- For the purpose of this section, the cost price a seller paid for an item is presumed to be no greater than the price the seller paid for the same model within 12 months before the bundled transaction, as shown on the seller's invoices."

PART VI. REDUCE INHERITANCE AND GIFT TAXES

Sec. 6.1. G.S. 105-4(b) reads as rewritten:

(b) An inheritance tax credit in the amount specified in the following table

of thirty-three thousand one hundred fifty dollars (\$33,150) is allowed against the tax imposed by this Article on the transfer of property to a Class A beneficiary.

For Decedents Dying on or After _____ Amount of Credit

August 1, 1985	\$ 2,350
July 1, 1986	8,150
January 1, 1987	14,150
January 1, 1988	20,150
January 1, 1989	26,150

The credit may not exceed the amount of tax imposed by this Article.

This credit is allowed to Class A beneficiaries in the following order:

- (1) Children who are less than 18 years old, and children who are at least 18 years old and who are single, are unable to support themselves because of mental or physical incapacity, and either are members of the decedent's household or, because of their mental or physical incapacity, live in an institution.
- (2) Other Class A Beneficiaries. -- The status of a beneficiary is determined as of the date of the decedent's death. When two or more beneficiaries are equally entitled to the credit, the credit shall be allocated among those beneficiaries on a pro rata basis according to their tax liability. ~~The credit allowed by this section may not exceed the amount of tax imposed by this Article."~~

Sec. 6.2. G.S. 105-3 is amended by adding a new subdivision to read:

"(11) Property transferred to a spouse when the transfer of the property is exempt from federal estate and gift taxes under section 2056(b)(7) of the Code because it is considered qualified terminable interest property."

Sec. 6.3. G.S. 105-188 is amended by adding a new subsection to read:

"(j) The tax does not apply to property transferred to a spouse when the transfer of the property is exempt from federal estate and gift taxes under section 2523(f) of the Code because it is considered qualified terminable interest property."

Sec. 6.4. G.S. 105-2(a) reads as rewritten:

"(a) A tax shall be and is hereby imposed upon the transfer of any property, real or personal, or of any interest therein or income therefrom, in trust or otherwise, to persons or corporations, in the following cases:

- (1) When the transfer is from a person who dies seized of the property while a resident of the State and it is made:
 - a. By will or by intestacy;
 - b. Pursuant to a final judgment entered in a proceeding to

caveat a will; or

- c. Pursuant to a settlement agreement, to which the personal representative is a party, that, in the determination of the Secretary of Revenue in his sole discretion based on evidence presented by the personal representative, reflects the good faith, arm's-length compromise of an actual dispute between beneficiaries, heirs, or personal representatives and does not have the primary purpose of avoiding inheritance tax.
- (2) When the transfer is by will or intestate laws of this or any other state of real property or goods, wares, and merchandise within this State, or of any property, real, personal, or mixed, tangible or intangible, over which the State of North Carolina has a taxing jurisdiction, including State and municipal bonds, and the decedent was a resident of the State at the time of death; when the transfer is of real property or tangible personal property within the State, or intangible personal property that has acquired a situs in this State, and the decedent was a nonresident of the State at the time of death.
- (3) When the transfer of property made by a resident, or nonresident, is of real property within this State, or of goods, wares and merchandise within this State, or of any other property, real, personal, or mixed, tangible or intangible, over which the State of North Carolina has taxing jurisdiction, including State and municipal bonds, by deed, grant, bargain, sale, or gift made in contemplation of the death of the grantor, vendor, or donor, or intended to take effect in possession or enjoyment at or after such death, including a transfer under which the transferor has retained for his life or any period not ending before his death (i) the possession or enjoyment of, or the income from, the property or (ii) the right to designate the persons who shall possess or enjoy the property or the income therefrom. The aggregate value exceeding ten thousand dollars (\$10,000) of transfers to any one donee within a tax year by deed, grant, bargain, sale, gift, or combination thereof, made within three years prior to the death of the grantor, vendor, or donor, without an adequate valuable consideration, shall be presumed, subject to rebuttal, to have been made in contemplation of death within the meaning of this section; the first ten thousand dollars (\$10,000) in value shall be deemed not made in contemplation of death.
- (4) When any person or corporation comes into possession or enjoyment, by a transfer from a resident, or from a

nonresident decedent when such nonresident decedent's property consists of real property within this State or tangible personal property within the State, or intangible personal property that has acquired a situs in this State, of an estate in expectancy of any kind or character which is contingent or defeasible, transferred by any instrument taking effect after March 24, 1939.

- (5) a. For purposes of this Article, the term 'general power of appointment' means a power which is exercisable in favor of the decedent, his estate, his creditors, or the creditors of his estate; except that:

1. A power to consume, invade or appropriate property for the benefit of the decedent which is limited by an ascertainable standard relating to the health, education, support or maintenance of the decedent shall not be deemed a general power of appointment.

2. A power of appointment which is exercisable by the decedent only in conjunction with another person:

I. If the power is not exercisable by the decedent except in conjunction with the creator of the power, such power shall not be deemed a general power of appointment.

II. If the power is not exercisable by the decedent except in conjunction with a person having a substantial interest in the property, subject to the power, which is adverse to exercise of the power in favor of the decedent, such power shall not be deemed a general power of appointment. For the purposes of this clause a person who, after the death of the decedent, may be possessed of a power of appointment (with respect to the property subject to the decedent's power) which he may exercise in his own favor shall be deemed as having an interest in the property and such interest shall be deemed adverse to such exercise of the decedent's power.

III. If (after the application of clauses I and II) the power is a general power of appointment and is exercisable in favor of such other person, such power shall be deemed a general power

of appointment only in respect of a fractional part of the property subject to such power, such part to be determined by dividing the value of such property by the number of such persons (including the decedent) in favor of whom such power is exercisable.

IV. For purposes of clauses II and III, a power shall be deemed to be exercisable in favor of a person if it is exercisable in favor of such person, his estate, his creditors, or the creditors of his estate.

b. Whenever any person shall have a general power of appointment with respect to any interest in property, such person shall, for the purposes of this Article, be deemed the owner of such interest and accordingly:

1. If in connection with any transfer of property taxable under this Article the transferor shall give to any person a general power of appointment with respect to any interest in such property, the transferor shall be deemed to have given such interest in such property to such person.

2. If any person holding a general power of appointment with respect to any interest in property shall exercise such power in favor of any other person or persons, either by will or by an appointment made in contemplation of the death of such person, or by an appointment intended to take effect in possession or enjoyment at or after such death, he shall be deemed to have made a transfer of such interest to such person or persons.

3. If any person holding a general power of appointment with respect to any interest in property shall relinquish such power by any action taken in contemplation of death or intended to take effect at or after his death, or shall die without fully exercising such power, he shall be deemed, to the extent of such relinquishment or nonexercise, to have made a transfer of such interest to the person or persons who shall benefit thereby.

(6) Neither the exercise nor the relinquishment of a special power of appointment (which shall mean any power other than a general power) with respect to an interest in property shall be deemed to constitute a transfer of such interest within the

meaning of this Article. If in connection with any transfer taxable under this Article the transferor shall give to any person a special power of appointment with respect to any interest in property, he shall be deemed, for the purpose of computing the tax applicable thereto, to have given such interest in equal shares to those persons, not more than two, among the possible appointees and takers in default of appointment whom the transferor's executor or administrator may designate as transferees in the inheritance tax return, except that:

- a. If a gift tax return is filed with respect to such transfer, the persons designated therein shall also be designated in the inheritance tax return, and
- b. The tax shall be computed according to the relationship of the donee of the power to the persons designated if the possible appointees and takers in default of appointment include any persons more closely related to the donee of the power than to the donor, and if such computation would produce a higher tax.

(7), (7a) Repealed by Session Laws, 1985, c. 656, s. 1.

(8) Where the proceeds of life insurance policies are payable as provided in G.S. 105-13.

(9) Whenever any person or corporation comes into possession or enjoyment of any real or personal property, including bonds of the United States and bonds of a state or subdivision or agency thereof, at or after the death of an individual and by reason of said individual's having entered into a contract or other arrangement with the United States, a state or any person or corporation to pay, transfer or deliver said real or personal property, including bonds of the United States and bonds of a state, to the person or corporation receiving the same, whether said person or corporation is named in the contract or other arrangement or not: Provided, that no tax shall be due or collected on that portion of the real or personal property received under the conditions outlined herein which the person or corporation receiving the same purchased or otherwise acquired by funds or property of the person or corporation receiving the same, or had acquired by a completed inter vivos gift.

Nothing in subdivision (9) shall apply to the proceeds of life insurance policies.

(10) Upon the death of a spouse who had a qualifying income interest for life in qualified terminable interest property whose

previous transfer was exempt from inheritance or gift taxes under G.S. 105-3(11) or G.S. 105-188(j), the qualified terminable interest property that was previously exempt is considered to pass from the spouse to the person who is entitled to the property upon the termination of the spouse's qualifying income interest for life.

However, nothing in this Article shall be construed as imposing a tax upon any transfer of intangibles not having a commercial or business situs in this State, by a person, or by reason of the death of a person, who was not a resident of this State at the time of his death, and, if held or transferred in trust, such intangibles shall not be deemed to have a commercial or business situs in this State merely because the trustee is a resident or, if a corporation, is doing business in this State, unless the same be employed in or held or used in connection with some business carried on in whole or in part in this State."

Sec. 6.5. G.S. 105-9(8) reads as rewritten:

"(8) Costs of administration, including administration not claimed as a deduction on the federal income tax return filed under the Code by the fiduciary for the decedent's estate. Costs of administration include reasonable attorneys' fees."

Sec. 6.6. Article 1 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-23.1. Making installment payments of tax due when federal estate tax is payable in installments.

A personal representative who elects under section 6166 of the Code to make installment payments of federal estate tax may elect to make installment payments of the tax imposed by this Article. An election under this section extends the time for payment of the tax due in accordance with the extension elected under section 6166 of the Code. Payments of tax are due under this section at the same time and in the same proportion to the total amount of tax due as payments of federal tax under section 6166 of the Code. Acceleration of payments under section 6166 of the Code accelerates the payments due under this section."

PART VII. NONITEMIZER CHARITABLE CONTRIBUTION TAX CREDIT

Sec. 7.1. Division II of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-151.26. Credit for charitable contributions by nonitemizers.

A taxpayer who elects the standard deduction under section 63 of the Code for federal tax purposes is allowed as a credit against the tax imposed by this Division an amount equal to two and three-fourths percent (2.75%) of the taxpayer's excess charitable contributions. The taxpayer's excess charitable contributions are the amount by which the taxpayer's charitable contributions

for the taxable year that would have been deductible under section 170 of the Code if the taxpayer had not elected the standard deduction exceed two percent (2%) of the taxpayer's adjusted gross income as calculated under the Code.

No credit shall be allowed under this section for amounts deducted from gross income in calculating taxable income under the Code or for contributions for which a credit was claimed under G.S. 105-151.12 or G.S. 105-151.14. A nonresident or part-year resident who claims the credit allowed by this section shall reduce the amount of the credit by multiplying it by the fraction calculated under G.S. 105-134.5(b) or (c), as appropriate. The credit allowed under this section may not exceed the amount of tax imposed by this Division for the taxable year reduced by the sum of all credits allowed, except payments of tax made by or on behalf of the taxpayer."

PART VIII. EXCLUDE CERTAIN SEVERANCE PAY FROM INCOME TAX

Sec. 8.1. G.S. 105-134.6(b) is amended by adding a new subdivision to read:

"(11) The amount paid to the taxpayer as severance wages as the result of the permanent closure of a manufacturing or processing plant, not to exceed a maximum of thirty-five thousand dollars (\$35,000) for the taxable year."

Sec. 8.2. G.S. 105-134.1 is amended by adding a new subdivision to read:

"(15a) Manufacturing and processing. -- Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census."

PART IX. REDUCE SALES TAX ON FARM AND INDUSTRY FUEL

Sec. 9.1. G.S. 105-164.4(a) is amended by adding a new subdivision to read:

"(1f) The rate of two and eighty-three-hundredths percent (2.83%) applies to the sales price of electricity and piped natural gas described in this subdivision and measured by a separate meter or another device:

- a. Sales of electricity and piped natural gas to farmers to be used by them for any farm purposes other than preparing food, heating dwellings, and other household purposes. The quantity of electricity or gas purchased or used at any one time shall not be a determinative factor as to whether its sale or use is or is not subject to the rate of tax provided in this subdivision.
- b. Sales of electricity and piped natural gas to

manufacturing industries and manufacturing plants for use in connection with the operation of the industries and plants other than sales of electricity and gas to be used for residential heating purposes. The quantity of electricity or gas purchased or used at any one time shall not be a determinative factor as to whether its sale or use is or is not subject to the rate of tax provided in this subdivision.

- c. Sales of electricity and piped natural gas to commercial laundries or to pressing and dry-cleaning establishments for use in machinery used in the direct performance of the laundering or the pressing and cleaning service."

Sec. 9.2. G.S. 105-164.4(a)(4a) reads as rewritten:

"(4a) The rate of three percent (3%) applies to the gross receipts derived by a utility from sales of electricity, piped natural gas, or local telecommunications service as defined by G.S. ~~105-120(e)~~. 105-120(e), other than sales of electricity or piped natural gas subject to tax under another subdivision in this section. Gross receipts from sales of piped natural gas shall not include natural gas expansion surcharges imposed under G.S. 62-158. A person who operates a utility is considered a retailer under this Article."

PART X. EFFECTIVE DATES

Sec. 10.1. This act does not affect the rights or liabilities of the State, a taxpayer, or another person arising under a statute amended or repealed by this act before its amendment or repeal; nor does it affect the right to any refund or credit of a tax that would otherwise have been available under the amended or repealed statute before its amendment or repeal.

Sec. 10.2. This act becomes effective as follows:

- (1) Reduce sales tax on food. -- Part I of this act becomes effective January 1, 1997, and applies to sales made on or after that date.
- (2) Reduce corporate income tax. -- Section 2.1 of Part II of this act is effective for taxable years beginning on or after January 1, 1997. Section 2.2 of Part II of this act becomes effective October 1, 1997, and applies to remittances made on or after that date.
- (3) Quality jobs and business expansion tax credits. -- Sections 3.5, 3.6, and 3.8 through 3.10 of Part III of this act become effective August 1, 1996. G.S. 105-129.11, as enacted by Part III of this act, becomes effective for taxable years beginning

on or after January 1, 1997, and applies to training expenditures made on or after July 1, 1997. The remainder of Part III of this act is effective for taxable years beginning on or after January 1, 1996, and applies to jobs created on or after August 1, 1996, and property placed in service on or after August 1, 1996. Article 3A of Chapter 105 of the General Statutes is repealed effective for applications for credits filed under G.S. 105-129.6 on or after January 1, 2002. Article 3B of Chapter 105 of the General Statutes is repealed effective for business property placed in service on or after January 1, 2002.

- (4) Phase out soft drink tax. -- Section 4.1 of Part IV of this act becomes effective July 1, 1997. Section 4.2 of Part IV of this act becomes effective July 1, 1999.
 - (5) Modify bundled transaction sales tax. -- Part V of this act becomes effective on the earliest date practicable. The "earliest date practicable" is considered to be the first day of the third month following the ratification of this act. The Part applies to sales made on or after the effective date.
 - (6) Reduce inheritance and gift taxes. -- Part VI of this act becomes effective January 1, 1997, and applies to the estates of decedents dying on or after that date and to gifts made on or after that date.
 - (7) Nonitemizer charitable contribution tax credit. -- Part VII of this act is effective for taxable years beginning on or after January 1, 1997.
 - (8) Exclude certain severance pay from income tax. -- Part VIII of this act is effective for taxable years beginning on or after January 1, 1996.
 - (9) Reduce sales tax on farm and industry fuel. -- Part IX of this act becomes effective August 1, 1996, and applies to sales made on or after that date.
 - (10) Remainder. -- The remainder of this act is effective upon ratification.
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CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL 53

PCCS 4294, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

The General Assembly of North Carolina enacts:

PART 1. INTRODUCTION AND TITLE OF ACT

INTRODUCTION

Section 1. The appropriations made in this act are for maximum amounts necessary to provide the services and accomplish the purposes described in the budget. Savings shall be effected where the total amounts appropriated are not required to perform these services and accomplish these purposes and, except as allowed by the Executive Budget Act, or this act, the savings shall revert to the appropriate fund at the end of each fiscal year.

TITLE OF ACT

Sec. 1.1. This act shall be known as the Current Operations Appropriations Act of 1996.

PART 2. GENERAL FUND APPROPRIATIONS

CURRENT OPERATIONS/GENERAL FUND

Sec. 2. Appropriations from the General Fund of the State for the maintenance of the State departments, institutions, and agencies, and for other purposes as enumerated are made for the biennium ending June 30, 1997, according to the schedule that follows. Amounts set out in brackets are reductions from General Fund appropriations for the 1996-97 fiscal year.

<u>Current Operations - General Fund</u>	<u>1996-97</u>
General Assembly	\$ (225,000)
Judicial Department	7,895,957
Office of the Governor	
01. Office of the Governor	(31,388)
02. Office of State Budget	

and Management	(37,689)
03. Office of State Planning	(5,000)
04. Housing Finance Agency	3,500,000
Department of Secretary of State	437,048
Department of State Treasurer	2,200,000
Department of Public Education	98,021,116
Department of Justice	1,260,151
Department of Administration	(270,049)
Department of Agriculture	972,020
Department of Labor	419,183
Department of Insurance	1,895,364
Department of Environment, Health, and Natural Resources	21,490,126
Office of Administrative Hearings	262,754
Department of Human Resources	
01. Office of the Secretary	795,466
02. Division of Aging	5,150,231
03. Division of Child Development	8,804,765
04. Division of Services for the Deaf and Hard of Hearing	(148,984)
05. Division of Social Services	(5,462,841)
06. Division of Medical Assistance	(13,609,703)
07. Division of Services for the Blind	(36,419)
08. Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	(5,596,205)
09. Division of Facility Services	431,977
10. Division of Vocational Rehabilitation Services	978,310
11. Division of Youth Services	184,566
Total Department of Human Resources	(8,508,837)

Department of Correction	(37,214,282)
Department of Commerce	
01. Commerce	11,353,334
02. MCNC	(14,000,000)
03. Rural Economic Development Center	2,700,000
04. Biotechnology Center	1,000,000
Department of Revenue	1,793,876
Department of State Auditor	175,000
Department of Cultural Resources	3,466,303
Department of Crime Control and Public Safety	738,944
Office of the State Controller	8,935,985
University of North Carolina - Board of Governors	
01. General Administration	13,000,000
02. University Institutional Programs	29,904,337
03. Related Educational Programs	3,880,160
04. University of North Carolina at Chapel Hill	
a. Academic Affairs	(422,425)
b. Health Affairs	(29,424)
05. North Carolina State University at Raleigh	
a. Academic Affairs	(246,316)
06. University of North Carolina at Greensboro	(114,556)
07. University of North Carolina at Charlotte	(5,000)
08. University of North Carolina at Asheville	(4,500)
09. North Carolina Agricultural and Technical State University	(438,523)
10. Western Carolina University	(91,286)
11. Appalachian State University	(203,487)

12. University of North Carolina at Pembroke	(3,190)
13. Winston-Salem State University	(500)
14. Elizabeth City State University	(125,503)
15. Fayetteville State University	(9,000)
16. North Carolina Central University	(67,779)
17. North Carolina School of the Arts	(317,543)
18. North Carolina School of Science and Mathematics	(28,036)
19. UNC Hospitals at Chapel Hill	(20,000,000)
Total University of North Carolina - Board of Governors	24,677,429
Department of Community Colleges	20,795,894
State Board of Elections	175,000
Debt Service	(9,000,000)
Salary Adjustment Fund	1,500,000
Reserve for Compensation Increase	267,546,807
Reserve for Military Affairs	200,000
Reduction in Postage	(300,000)
Retirement Rate Adjustment	(325,600)
Criminal Justice Information System	400,000
Reserve for Structured Sentencing	1,433,800
GRAND TOTAL CURRENT OPERATIONS -- GENERAL FUND	\$ 415,328,246

PART 3. CURRENT OPERATIONS/HIGHWAY FUND

Sec. 3. Appropriations from the Highway Fund of the State for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated, are made for the biennium ending June 30, 1997,

according to the following schedule:

<u>Current Operations/Highway Fund</u>	<u>1996-97</u>
Department of Transportation	
01. Administration	\$ 960,000
02. Construction and Maintenance	2,206,000
03. Division of Motor Vehicles	1,894,190
04. Reserve for Salary Increases	<u>14,008,494</u>
GRAND TOTAL CURRENT OPERATIONS/ HIGHWAY FUND	\$ 19,068,684

CURRENT OPERATIONS/HIGHWAY FUND - NONRECURRING APPROPRIATIONS

Sec. 3.1. Appropriations are made from the Highway Fund of the 1996-97 fiscal year for use by the Department of Transportation, and for other purposes to provide for one-time expenditures according to the following schedule:

<u>Current Operations/Highway Fund - Nonrecurring</u>	<u>1996-97</u>
Department of Transportation	
01. Administration	\$ 2,781,145
02. Construction and maintenance	
(a) State Maintenance	
(01) Contract Resurfacing	6,748,423
03. Division of Motor Vehicles	1,296,716
04. Reserve for Capital Projects	1,958,126
05. Reserve for Rail Travel Enhancement	1,700,000
Department of Crime Control and Public Safety	3,288,000
Reserve for Salary Increases	<u>851,906</u>
GRAND TOTAL CURRENT OPERATIONS/HIGHWAY FUND - NONRECURRING	\$ 18,624,316

PART 4. HIGHWAY TRUST FUND

Sec. 4. In addition to the appropriations made by Section 4 of Chapter 324 of the 1995 Session Laws, appropriations from the Highway Trust

Fund are made for the 1996-97 fiscal year as follows:

01. Intrastate System	\$ 8,569,105
02. Secondary Roads Construction	612,813
03. Urban Loops	3,464,990
04. State Aid - Municipalities	899,099
05. Program Administration	271,993
06. Transfer to General Fund	<u>-</u>

GRAND TOTAL/HIGHWAY TRUST FUND \$ 13,818,000

PART 5. GENERAL FUND AVAILABILITY STATEMENTS

Requested by: Senators Plyler, Perdue, Odom

BUDGET REFORM STATEMENTS

Sec. 5. The General Fund and availability used in developing the 1996-97 budget is as shown below:

(1) Composition of the 1996-97 beginning availability: (\$ Million)

- a. Revenue collections in 1995-96
authorized but not appropriated
by the 1995 General Assembly \$183.8
- b. Revenue collections in 1995-96
in excess of authorized estimates 320.6
- c. Estimated unexpended appropriations
for 1995-96 (reversions) 220.0

1995-96 Ending Credit Balance \$724.4

- d. Plus: Reserved 1994-95
Disproportionate Share Funds 1.6
- e. Less: Transfer to Savings Reserve
Account 77.4
- f. Less: Transfer to Reserve for Repair
and Renovations 130.0
- g. Less: Transfer to Clean Water Management
Trust Fund 47.1
- h. Transfer to Capital Improvement Reserve 39.5
- i. Transfer to Federal Retiree Refund Account 26.2

(2) Beginning Unrestricted Fund Balance,
July 1, 1996 \$405.8

(3) Authorizations by the 1995 General Assembly

for 1996-97:

a.	Revenue collections left unaddressed	242.1	
b.	1996-97 capital authorizations	<u>-47.8</u>	194.3

(4)	Projected revenue collections above 1995 Session estimates under existing tax structure		109.4
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(5)	Disproportionate Share Revenue Estimates lowered		-15.7
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(6)	Non-tax Revenue		
a.	Increase Court Fees	4.2	
b.	Local Sales Tax--Local Government Commission	<u>1.2</u>	5.4

(7)	Reserve for Tax Reductions and Federal Retiree		<u>-85.2</u>
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	TOTAL AVAILABILITY		\$614.0
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Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford

DISPOSITION OF DISPROPORTIONATE SHARE RECEIPTS CLARIFICATION

Sec. 5.2. Section 6.8 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 6.8. For the 1995-97 fiscal biennium, as it receives funds associated with Disproportionate Share Payments from the State ~~psychiatric~~ hospitals, the Division of Medical Assistance shall deposit funds appropriated for the Medicaid program in a sum equal to the federal share of the Disproportionate Share Payments as nontax revenue. Any of these funds that are not appropriated by the General Assembly shall be reserved by the State Controller for future appropriation."

Requested by: Representatives Holmes, Creech, Esposito, Senators Perdue, Plyler, Odom

EXPENDITURE OF FUNDS FROM RESERVE FOR REPAIRS AND RENOVATIONS

Sec. 5.3. (a) Of the funds in the Reserve for Repairs and Renovations for the 1996-97 fiscal year, forty-six percent (46%), shall be allocated to the Board of Governors of The University of North Carolina for repairs and renovations pursuant to G.S.143-15.3A, in accordance with

guidelines developed in The University of North Carolina Funding Allocation Model for Reserve for Repairs and Renovations, as approved by the Board of Governors of The University of North Carolina; and fifty-four percent (54%) shall be allocated to the Office of State Budget and Management for repairs and renovations pursuant to G.S. 143-15.3A.

Notwithstanding G.S. 143-15.3A, the Board of Governors may allocate funds for the repair and renovation of facilities not supported from the General Fund if the Board determines that sufficient funds are not available from other sources and that conditions warrant General Fund assistance. Any such finding shall be included in the Board's submission to the Joint Legislative Commission on Governmental Operations on the proposed location of funds.

The Board of Governors and the Office of State Budget and Management shall submit to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office, for their review, the proposed allocation of these funds. Subsequent changes in the proposed allocations shall be reported prior to expenditure to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office.

(b) Funds earmarked in the 1995-96 fiscal year for the Repairs and Renovations Reserve but not appropriated are hereby appropriated. The Office of State Budget and Management may allocate these funds for land acquisition, matching federal funds, State grants, and grants-in-aid.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

USE OF FUNDS FROM REPAIRS AND RENOVATIONS RESERVE ACCOUNT/REPORT TO GOVERNMENTAL OPERATIONS

Sec. 5.4. Notwithstanding G.S. 143-16.3, funds from the Repairs and Renovations Reserve Account may be used for purposes consistent with G.S. 143-15.3A and reported to the Joint Legislative Commission on Governmental Operations.

PART 6. BLOCK GRANT APPROPRIATIONS

Requested by: Representatives Holmes, Creech, Esposito, Gardner, Nye, Russell, Senators Plyler, Perdue, Odom, Martin of Guilford, Lucas

DHR BLOCK GRANT PROVISIONS

Sec. 6. (a) Appropriations from federal block grant funds are made for the fiscal year ending June 30, 1997, according to the following schedule:

COMMUNITY SERVICES BLOCK GRANT

01.	Community Action Agencies	\$ 9,198,794
02.	Limited Purpose Agencies	511,044
03.	Department of Human Resources to administer and monitor the activities of the Community Services Block Grant	511,044
TOTAL COMMUNITY SERVICES BLOCK GRANT		\$10,220,882
SOCIAL SERVICES BLOCK GRANT		
01.	County Departments of Social Services	\$ 30,395,663
02.	Allocation for In-Home Services provided by County Departments of Social Services	2,101,113
03.	Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	4,764,124
04.	Division of Services for the Blind	3,205,711
05.	Division of Youth Services	950,674
06.	Division of Facility Services	343,341
07.	Division of Aging - Home and Community Care Block Grant	1,915,234
08.	Day Care Services	15,694,900
09.	Division of Vocational Rehabilitation - United Cerebral Palsy	71,484
10.	State Administration	1,954,237
11.	Child Medical Evaluation Program	238,321
12.	Adult Day Care Services	599,551
13.	County Departments of Social Services for	

	Child Abuse/Prevention and Permanency Planning	394,841
14.	Transfer to Preventive Health Block Grant for Emergency Medical Services	213,128
15.	Allocation to Preventive Health Block Grant for AIDS Education, Counseling and Testing	66,939
16.	Transfer to Department of Administration for the N.C. Commission of Indian Affairs In Home Services Program for the elderly	203,198
17.	Division of Vocational Rehabilitation- Easter Seals Society	116,779
18.	UNC-CH CARES Program for training and consultation services	247,920
19.	Transfer to Department of Environment, Health and Natural Resources for the Adolescent Pregnancy Prevention Program	239,261
20.	Office of the Secretary - Office of Economic Opportunity for N.C. Senior Citizens' Federation for outreach services to low-income elderly persons	41,302
TOTAL SOCIAL SERVICES BLOCK GRANT		\$ 63,757,721

LOW INCOME ENERGY BLOCK GRANT

01.	Energy Assistance Programs	\$ 5,216,233
02.	Crisis Intervention	5,709,258
03.	Administration	1,275,611
04.	Weatherization Program	4,078,042
05.	Indian Affairs	33,022

TOTAL LOW INCOME ENERGY BLOCK GRANT \$ 16,312,166

MENTAL HEALTH SERVICES BLOCK GRANT

01. Provision of Community-Based
Services in accordance with the
Mental Health Study Commission's
Adult Severe and Persistently
Mentally Ill Plan \$ 3,794,179

02. Provision of Community-Based
Services in accordance with the
Mental Health Study Commission's
Child Mental Health Plan 1,802,819

03. Administration 572,897

TOTAL MENTAL HEALTH SERVICES BLOCK GRANT \$ 6,169,895

BLOCK GRANT FOR THE PREVENTION AND
TREATMENT OF SUBSTANCE ABUSE

01. Provision of Community-Based
Alcohol and Drug Abuse Services,
Tuberculosis Services, and Services
provided by the Alcohol, Drug Abuse
Treatment Centers \$ 10,935,939

02. Continuation of Services for
Pregnant Women and Women
with Dependent Children 5,060,076

03. Continuation and Expansion of
Services to IV Drug Abusers and others
at risk for HIV diseases 4,836,407

04. Provision of services in accordance with
the Mental Health Study Commission's
Child and Adolescent Alcohol and other
Drug Abuse Plan 5,964,093

05. Administration 1,841,742

TOTAL BLOCK GRANT FOR PREVENTION
AND TREATMENT OF SUBSTANCE ABUSE \$ 28,638,257

CHILD CARE AND DEVELOPMENT BLOCK GRANT

- | | | |
|-----|---|---------------|
| 01. | Child Day Care Services | \$ 17,826,641 |
| 02. | Administrative Expenses and Quality
and Availability Initiatives | 1,980,738 |
| 03. | Before and After School Child Care Programs
and Early Childhood Development Programs | 4,951,845 |
| 04. | Quality Improvement Activities | 1,650,614 |

TOTAL CHILD CARE AND DEVELOPMENT
BLOCK GRANT \$ 26,409,838

(b) Decreases in Federal Fund Availability

If federal funds are reduced below the amounts specified above after the effective date of this act, then every program in each of the federal block grants listed above, shall be reduced equally to total the reduction in federal funds.

(c) Increases in Federal Fund Availability

Any block grant funds appropriated by the United States Congress in addition to the funds specified in this act shall be expended by the Department of Human Resources, with the approval of the Office of State Budget and Management, provided the resultant increases are in accordance with federal block grant requirements and are within the scope of the block grant plan approved by the General Assembly. All these budgeted increases shall be reported to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division.

This subsection shall not apply to Job Training Partnership Act funds.

(d) If funds appropriated through the Child Care and Development Block Grant for any program cannot be obligated or spent in that program within the obligation or liquidation periods allowed by the federal grants, the Department may move funds to other programs, in accordance with the federal requirements of the grant, in order to use the federal funds fully.

(e) The Division of Vocational Rehabilitation shall evaluate the services currently provided by the United Cerebral Palsy contract and shall report any recommended changes in this funding allocation for the 1997-1998 Social Services Block Grant to the 1997 General Assembly and to the Fiscal

Research Division.

(f) Of the funds appropriated in the Low Income Energy Block Grant for the Weatherization Program, one million six hundred thirty-one thousand two hundred eighteen dollars (\$1,631,218) are contingent upon approval of a federal waiver. In the event this waiver is not approved these funds shall be transferred to the Crisis Intervention Program.

(g) The Department shall explore and report by April of 1997, on the use of private nonprofit organizations for the administration of Low Income Energy Block Grant funds for Crisis Intervention.

NER BLOCK GRANT FUNDS

Sec. 6.1 (a) Appropriations from federal block grant funds are made for the fiscal year ending June 30, 1997, according to the following schedule:

COMMUNITY DEVELOPMENT BLOCK GRANT

01. State Administration	\$ 1,000,000
02. Urgent Needs and Contingency	2,177,500
03. Community Empowerment	2,613,000
04. Economic Development	8,710,000
05. Community Revitalization	29,178,500
06. State Technical Assistance	450,000
07. Housing Development	871,000

TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT - 1997 Program Year	\$ 45,000,000
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TOTAL JOB TRAINING PARTNERSHIP ACT	\$ 35,796,741
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MATERNAL AND CHILD HEALTH BLOCK GRANT

01. Healthy Mother/Healthy Children Block Grants to Local Health Departments	\$ 9,838,074
02. High Risk Maternity Clinic Services, Perinatal Education and Training, SIDS,	

and Consultation/Technical Assistance	1,810,112
03. Services to Children With Special Health Care Needs	5,065,331
TOTAL MATERNAL AND CHILD HEALTH BLOCK GRANT	\$ 16,713,517
PREVENTIVE HEALTH SERVICES BLOCK GRANT	

01. Emergency Medical Services	\$ 213,128
02. Hypertension Programs	711,813
03. Statewide Health Promotion Programs	2,568,940
04. Dental Health for Fluoridation of Water Supplies	210,269
05. Rape Prevention and Rape Crisis Programs	187,110
06. Rape Prevention and Rape Education	1,335,126
07. AIDS/HIV Education, Counseling, and Testing	66,939
08. Office of Minority Health and Minority Health Council	174,915
09. Administrative and Indirect Cost	199,048
TOTAL PREVENTIVE HEALTH SERVICES BLOCK GRANT	\$ 5,667,288

(b) Decreases in Federal Fund Availability

For JTPA and Community Development Block Grants: If federal funds are reduced below the amounts specified above after the effective date of this act, then every program in each of these federal block grants shall be reduced by the same percentage as the reduction in federal funds.

For the Maternal and Child Health Services and Preventive Health Services federal block grants: If federal funds are reduced less than ten percent (10%) below the amounts specified above after the effective date of

this act, then every program in the Maternal and Child Health Services and in the Preventive Health Services block grants shall be reduced by the same percentage as the reduction in federal funds. If federal funds are reduced by ten percent (10%) or more below the amounts specified above after the effective date of this act, then for the Maternal and Child Health Services and the Preventive Health Services block grants the Department of Environment, Health, and Natural Resources shall allocate the decrease in funds after considering the effectiveness of the current level of services.

(c) Increases in Federal Fund Availability

Any block grant funds appropriated by the Congress of the United States in addition to the funds specified in this act shall be expended as follows:

- (1) For the Community Development Block Grant -- Each program category under the Community Development Block Grant shall be increased by the same percentage as the increase in federal funds.
- (2) For the Maternal and Child Health Services Block Grant -- Thirty percent (30%) of these additional funds shall be allocated to services for children with special health care needs and seventy percent (70%) shall be allocated to local health departments to assist in the reduction of infant mortality.
- (3) For the Preventive Health Block Grants -- If federal funds are increased by ten percent (10%) or more, then the Department shall allocate the increase in funds after considering the effectiveness of the current level of services and the effectiveness of services to be funded by the increase. If federal funds are increased by less than ten percent (10%), then these additional funds may be budgeted by the appropriate department, with the approval of the Office of State Budget and Management, provided the resultant increases are in accordance with federal block grant requirements and are within the scope of the block grant plan approved by the General Assembly.

(d) Changes to budgeted allocations to the Maternal and Child Health Services and the Preventive Health Services block grants due to increases or decreases in federal funds shall be reported to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division within 30 days of the allocation. All other increases shall be reported to the Joint Legislative Commission on Governmental Operations and to the Director of the Fiscal Research Division.

(e) Education Setaside of JTPA Funds

The Department of Commerce shall certify to the Joint Legislative

Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office when Job Training Partnership Act funds have been distributed to each agency, the total amount distributed to each agency, and the total amount of eight percent (8%) Education Setaside funds received.

(f) Limitations on Community Development Block Grant Funds

Of the funds appropriated in this section for the Community Development Block Grant, the following shall be allocated in each category for each program year: up to one million dollars (\$1,000,000) may be used for State administration; up to two million one hundred seventy-seven thousand five hundred dollars (\$2,177,500) may be used for Urgent Needs and Contingency; up to two million six hundred thirteen thousand dollars (\$2,613,000) may be used for Community Empowerment; up to eight million seven hundred ten thousand dollars (\$8,710,000) may be used for Economic Development; not less than twenty-nine million one hundred seventy-eight thousand five hundred dollars (\$29,178,500) shall be used for Community Revitalization; up to four hundred fifty thousand dollars (\$450,000) may be used for State Technical Assistance; up to eight hundred seventy-one thousand dollars (\$871,000) may be used for Housing Development. If federal block grant funds are reduced or increased by the Congress of the United States after the effective date of this act, then these reductions or increases shall be allocated in accordance with subsection (b) or (c) of this section, as applicable.

PART 7. GENERAL PROVISIONS

Requested by: Senators Plyler, Perdue, Odom, Representatives Holmes, Creech, Esposito

REPAIRS RESERVE ACCOUNT CHANGES

Sec. 7.1. (a) G.S. 143-15.2 reads as rewritten:

"§ 143-15.2. Use of General Fund credit balance.

The State Controller shall reserve up to one-fourth of any unreserved credit balance, as determined on a cash basis, remaining in the General Fund at the end of each fiscal year to the Savings Reserve Account as provided in G.S. 143-15.3, unless that would result in the Savings Reserve Account having funds in excess of five percent (5%) of the amount appropriated the preceding year for the General Fund operating budget, including local government tax-sharing funds; funds if directly appropriated; in that case, only funds sufficient to reach the five percent (5%) level shall be reserved. The State Controller shall also reserve ~~the greater of (i) one-fourth of any~~ from the unreserved credit balance, as determined on a cash basis, remaining in the General Fund ~~and (ii) three percent (3%) of the replacement value of all State buildings supported from the General Fund, at the end of each fiscal year to the Repairs and Renovations Reserve Account as provided in G.S. 143-15.3A. The~~

General Assembly may appropriate that part of the anticipated General Fund credit balance not expected to be reserved to the Savings Reserve Account or the Repairs and Renovations Reserve Account only for capital improvements or other one-time expenditures. As used in this section, the term 'unreserved credit balance' means the credit balance amount, as determined on a cash basis, before funds are reserved by the Controller to the Savings Reserve Account or the Repairs and Renovations Reserve Account pursuant to G.S. 143-15.3 and G.S. 143-15.3A."

(b) G.S. 143-15.3A(a) reads as rewritten:

"(a) There is established a Repairs and Renovations Reserve Account as a restricted reserve in the General Fund. The State Controller shall reserve to the Repairs and Renovations Reserve Account ~~the greater of (i) one-fourth of any unreserved credit balance as determined on a cash basis, remaining in the General Fund and (ii) three percent (3%) of the replacement value of all State buildings supported from the General Fund, at the end of each fiscal year.~~ As used in this section, the term 'unreserved credit balance' means the credit balance amount, as determined on a cash basis, before funds are reserved by the Controller to the Savings Reserve Account or the Repairs and Renovations Reserve Account pursuant to this section and G.S. 143-15.3."

(c) This section is effective June 30, 1996.

Requested by: Senator Odom

WESTERN CAROLINA CENTER FUNDS

Sec. 7.2. Of the funds allocated in Section 5.3 of this act to the Office of State Budget and Management from the Repairs and Renovations Fund, up to three hundred thirty-nine thousand three hundred fifty-seven dollars (\$339,357) may be used for Phase II Retrofit to install a freestanding boiler at the Western Carolina Center.

Requested by: Senators Plyler, Perdue, Odom

FUNDS FOR ASBESTOS REMOVAL/FIRE SAFETY

Sec. 7.3. Of the funds allocated in Section 5.3 of this act to the Board of Governors of The University of North Carolina from the Repairs and Renovations Reserve Fund, at least four million dollars (\$4,000,000) shall be used for projects related to asbestos removal or fire safety.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

CHANGES IN THE EXECUTION OF THE BUDGET

Sec. 7.4. (a) G.S. 120-76 is amended by adding a new subdivision to read:

"(8) The Joint Legislative Commission on Governmental Operations shall be consulted by the Governor before the

Governor does any of the following:

- a. Makes allocations from the Contingency and Emergency Fund.
- b. Authorizes expenditures in excess of the total requirements of a program as enacted by the General Assembly, except for trust funds as defined in G.S. 116-36.1(g).
- c. Proceeds to reduce programs subsequent to a reduction of ten percent (10%) or more in the federal fund level certified to a department and any subsequent changes in distribution formulas.
- d. Takes extraordinary measures under Article III, Section 5(3) of the Constitution to effect necessary economies in State expenditures required for balancing the budget due to a revenue shortfall, including, but not limited to, the following: loans among funds, personnel freezes or layoffs, capital project reversions, program eliminations, and use of reserves. However, if the Committee fails to meet within 10 calendar days of a request by the Governor for its consultation, the Governor may proceed to take the actions he feels are appropriate and necessary and shall then report those actions at the next meeting of the Commission.
- e. Approves a new capital improvement project funded from gifts, grants, receipts, special funds, self-liquidating indebtedness, and other funds or any combination of funds for the project not specifically authorized by the General Assembly. The budget for each capital project must include projected revenues in an amount not less than projected expenditures.

Notwithstanding the provisions of this subdivision or any other provision of law requiring prior consultation by the Governor with the Commission, whenever an expenditure is required because of an emergency that poses an imminent threat to public health or public safety, and is either the result of a natural event, such as a hurricane or a flood, or an accident, such as an explosion or a wreck, the Governor may take action under this subsection without consulting the Commission if the action is determined by the Governor to be related to the emergency. The Governor shall report to the Commission on any expenditures made under this paragraph no later than 30 days after making the expenditure and shall identify in the report the emergency, the type of action taken,

and how it was related to the emergency."

(b) G.S. 143-15.3A is amended by adding a new section to read:

"(c) The Governor shall consult with the Joint Legislative Commission on Governmental Operations before making allocations from the Repairs and Renovations Reserve Account.

Notwithstanding this subsection, whenever an expenditure is required because of an emergency that poses an imminent threat to public health or public safety, and is either the result of a natural event, such as a hurricane or a flood, or an accident, such as an explosion or a wreck, the Governor may take action under this subsection without consulting the Commission if the action is determined by the Governor to be related to the emergency. The Governor shall report to the Commission on any expenditures made under this paragraph no later than 30 days after making the expenditure and shall identify in the report the emergency, the type of action taken, and how it was related to the emergency."

(c) G.S. 143-12 reads as rewritten:

"§ 143-12. Bills containing proposed appropriations.

(a) The Director shall cause to be prepared and submitted to the General Assembly the following bills:

- (1) A bill containing all proposed current operations appropriations of the budget for each year in the ensuing biennium, which shall be known as the 'Current Operations Appropriations Bill', and a bill containing all proposed capital appropriations of the budget for each year in the ensuing biennium, which shall be known as the 'Capital Improvement Appropriations Bill'.
- (2) If necessary, a bill containing the Director of the Budget's views on revenue for the ensuing biennium, which shall be known as the 'Budget Revenue Bill', and shall provide an amount of revenue for the ensuing biennium sufficient, in the opinion of the Director and the Commission, to meet the appropriations contained in the Current Operations Appropriations Bill and the Capital Improvement Appropriations Bill.
- (3) Repealed by Session Laws 1983 (Regular Session, 1984), c. 1034, s. 153.

(b) To the end that all expenses of the State may be brought and kept within the budget, the Current Operations Appropriations Bill shall contain a specific sum as a contingent or emergency appropriation, and shall allocate a specific portion of that sum to a special reserve to be used solely for purposes as outlined in G.S. 143-23(a1)(3), (4), and (5). ~~The G.S. 143-23(a1)(2).~~ Notwithstanding any other provision of law, the manner of the allocation of such contingent or emergency appropriation shall be as follows: Any

institution, department, commission, or other agency or activity of the State, or other activity in which the State is interested, desiring an allotment out of such contingent or emergency appropriation, shall upon forms prescribed and furnished by the Director of the Budget, present such request in writing to the Director of the Budget, with such information as he may require, and if the Director of the Budget shall approve such request, in whole or in part, and after consulting with the Joint Legislative Commission on Governmental Operations, he shall forthwith present the same to the Governor and Council of State, and upon their order only shall such allotment be made. If the Director shall disapprove the request of such an allotment out of the emergency or contingent appropriation, he shall transmit his refusal and his reason therefor to the Governor and Council of State, for their information.

Funds allocated from the contingent or emergency appropriation may be used only for the purpose for which they were allocated and may not be reallocated for another purpose by the Governor. If the funds are not spent or encumbered for the purpose for which they were allocated by the end of the fiscal biennium and if the Governor and the Council of State do not reallocate them for that same purpose, the funds shall revert to the fund from which the contingent or emergency appropriation was made. Also, if the funds are not needed for the purpose for which they were allocated, the funds shall revert to the fund from which the contingent or emergency appropriation was made.

(c) The Director of the Budget may, in preparation of the Appropriations and Revenue Bills, seek the advice of the Advisory Budget Commission. If the Director and the Commission shall not agree as to the Appropriations and Revenue Bills in substantial particulars, the Director shall prepare the same, based on his conclusions and judgment, and the Commission or any of its members retain the right to submit separately to the General Assembly such statement of disagreement and the particulars thereof as they shall find proper to submit as representing their own views."

(d) G.S. 143-15.3A(b) reads as rewritten:

"(b) The funds in the Repairs and Renovations Reserve Account shall be used only for the repair and renovation of State facilities and related infrastructure that are supported from the General Fund. Funds from the Repairs and Renovations Reserve Account shall be used only for the following types of projects:

- (1) Roof repairs and replacements;
- (2) Structural repairs;
- (3) Repairs and renovations to meet federal and State standards;
- (4) Repairs to electrical, plumbing, and heating, ventilating, and air-conditioning systems;
- (5) Improvements to meet the requirements of the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., as amended;
- (6) Improvements to meet fire safety needs;

- (7) Improvements to existing facilities for energy efficiency;
- (8) Improvements to remove asbestos, lead paint, and other contaminants, including the removal and replacement of underground storage tanks;
- (9) Improvements and renovations to improve use of existing space;
- (10) Historical restoration;
- (11) Improvements to roads, walks, drives, utilities infrastructure; and
- (12) Drainage and landscape improvements.

Funds from the Repairs and Renovations Reserve Account shall not be used for new construction or the expansion of the footprint of an existing facility unless required in order to comply with federal or State codes or standards.

The Director of the Budget shall not use funds in the Repairs and Renovations Reserve Account unless the use has been approved by an act of the General Assembly. Assembly or, if the General Assembly is not in session, the Director of the Budget has first consulted with the Joint Legislative Commission on Governmental Operations under G.S. 143-15.3A(c)."

(e) G.S. 143-18.1(c) reads as rewritten:

"(c) Upon the request of the administration of any State agency or institution, the Director of the Budget may accept funds by gift or grant for the construction of a capital improvement project not specifically provided for or authorized by the General Assembly. These funds shall be placed in a special reserve account to be held by the State Treasurer until the end of the biennium in which the account was established or until the capital improvement project is authorized by the Director of the Budget, whichever occurs first. These funds shall be invested and the interest thereon shall be added to the reserve. If the project is not authorized by the end of that biennium, the State Treasurer shall pay the funds accumulated in the special reserve account to the grantor or donor. Upon the establishment of a special reserve account under this section, the Director of the Budget shall notify the Speaker of the House and President of the Senate of the receipt of the funds and the existence of the reserve account. Upon the request of the administration of any State agency or institution, the Governor ~~may~~ may, under G.S. 120-76(8), authorize the construction of a capital improvement project not specifically authorized by the General Assembly if such project is to be fully funded by gifts, grants, receipts, special funds, self-liquidating indebtedness, other funds, or any combination of funds, but not including funds appropriated from the General Fund. All expenditures under this authorization shall be handled in full compliance with the provisions of the Executive Budget Act.

The agency shall support its request for such capital improvement project, or projects, with the following information: the estimated annual operating

costs for (i) utilities; (ii) maintenance; (iii) repairs; (iv) additional personnel; (v) any and all other expenses to the State resulting from the addition of this facility to the plant of the institution. Prior to taking any action under this section to authorize a project, the Governor or the Director of the Budget may consult with the Advisory Budget Commission and the Capital Planning Commission."

(f) G.S. 143-23 reads as rewritten:

"§ 143-23. All maintenance funds for itemized purposes; transfers between objects or line items.

(a) All appropriations now or hereafter made for the maintenance of the various departments, institutions and other spending agencies of the State, are for the (i) purposes or programs and (ii) objects or line items enumerated in the itemized requirements of such departments, institutions and other spending agencies submitted to the General Assembly by the Director of the Budget and the Advisory Budget Commission, as amended by the General Assembly. The function of the Advisory Budget Commission under this subsection applies only if the Director of the Budget consults with the Commission in preparation of the budget.

(a1) ~~No transfers may be made between objects or line items in the budget of any department, institution, or other spending agency; however, with the approval of the Director of the Budget, a department, institution, or other spending agency may spend more than was appropriated for an object or line item if the overexpenditure is:~~

- ~~(1) In a purpose or program for which funds were appropriated for that fiscal period and the total amount spent for the purpose or program is no more than was appropriated for the purpose or program for the fiscal period;~~
- ~~(2) Required to continue a purpose or program because of unforeseen events, so long as the scope of the purpose or program is not increased;~~
- ~~(3) Required by a court, Industrial Commission, or administrative hearing officer's order or award or to match unanticipated federal funds;~~
- ~~(4) Required to respond to an unanticipated disaster such as a fire, hurricane, or tornado; or~~
- ~~(5) Required to call out the National Guard.~~

The Director of the Budget shall report on a quarterly basis to the Joint Legislative Commission on Governmental Operations, the Fiscal Research Division of the Legislative Services Office, and the State Auditor the reason if the amount expended for a purpose or program is more than the amount appropriated for it from all sources. If the overexpenditure was authorized under subdivision (2) of this subsection, the Director of the Budget shall identify in the report the unforeseen event that required the overexpenditure.

Notwithstanding the provisions of subsection (a) of this section, a department, institution, or other spending agency may, with approval of the Director of the Budget, spend more than was appropriated for:

- (1) An object or line item within a purpose or program so long as the total amount expended for the purpose or program is no more than was appropriated from all sources for the purpose or program for the fiscal period;
- (2) A purpose or program, without consultation with the Joint Legislative Commission on Governmental Operations, if the overexpenditure of the purpose or program is:
 - a. Required by a court, Industrial Commission, or administrative hearing officer's order;
 - b. Required to respond to an unanticipated disaster such as a fire, hurricane, or tornado; or
 - c. Required to call out the National Guard.

The Director of the Budget shall report on a quarterly basis to the Joint Legislative Commission on Governmental Operations on any overexpenditures under this subdivision; or

- (3) A purpose or program, after consultation with the Joint Legislative Commission on Governmental Operations in accordance with G.S. 120-76(8), and only if: (i) the overexpenditure is required to continue the purpose or programs due to complications or changes in circumstances that could not have been foreseen when the budget for the fiscal period was enacted and (ii) the scope of the purpose or program is not increased. Total overexpenditures of a purpose or program for a fiscal year under this subdivision shall be limited to the lesser of five hundred thousand dollars (\$500,000) or ten percent (10%) of the amount appropriated from all sources for the purpose or program, unless such overexpenditures are necessary to provide matching funds for federal entitlement programs.

(a2) Funds appropriated for salaries and wages are also subject to the limitation that they may only be used for:

- (1) Salaries and wages or for premium pay, overtime pay, longevity, unemployment compensation, workers' compensation, temporary wages, moving expenses of employees, payment of accumulated annual leave, certain awards to employees, tort claims, and employer's social security, retirement, and hospitalization payments;
- (2) Contracted personal services if (i) the contract is for temporary services or special project services, (ii) the term of the contract does not extend beyond the fiscal year, (iii) the contract does

not impose obligations on the State after the end of the fiscal year; and (iv) the total of all overexpenditures for contracted personal services approved in a program for a fiscal year does not exceed the greater of five hundred thousand dollars (\$500,000) or ten percent (10%) of the lapsed salary funds in the program for the fiscal year; and

- (3) Uses for which overexpenditures are permitted by ~~subdivisions (3), (4), and (5)~~ subdivision (2) of subsection (a1) of this section but the Director of the Budget shall include such use and the reason for it in his ~~quarterly report to the Joint Legislative Commission on Governmental Operations, the Fiscal Research Division of the Legislative Services Office, and the State Auditor.~~ quarterly report to the Joint Legislative Commission on Governmental Operations.

Lapsed salary funds that become available from vacant positions are also subject to the limitation that they may not be used for new permanent employee positions or to raise the salary of existing employees.

~~(a3) The requirements in this section that the Director of the Budget report to the Joint Legislative Commission on Governmental Operations and the State Auditor shall not apply to expenditures of receipts by entities that are wholly receipt supported, except for entities supported by the Wildlife Resources Fund.~~

~~(a4) The State Auditor shall review the report received from the Director of the Budget to ensure that the transfer complied with the intent and the provisions of this Article and shall report the Auditor's findings to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division.~~

(b) Repealed by Session Laws 1985, c. 290, s. 8.

(c) Transfers or changes as between objects or line items in the budget of the Senate may be made by the President Pro Tempore of the Senate.

(d) Transfers or changes as between objects or line items in the budget of the House of Representatives may be made by the Speaker of the House of Representatives.

(e) Transfers or changes as between objects or line items in the budget of the General Assembly other than of the Senate and House of Representatives may be made jointly by the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

(f) As used in this section:

- (1) 'Object or line item' means a budgeted expenditure or receipt in the budget enacted by the General Assembly that is designated by (i) a thirteen-digit code in the 1000-object code series or (ii) an eleven-digit code in all other object code series, in accordance with the Budget Code Structure and the

State Accounting System Uniform Chart of Accounts set out in the Administrative Policies and Procedures Manual of the Office of the State Controller.

- (2) 'Purpose or program' means a group of objects or line items for support of a specific activity outlined in the budget adopted by the General Assembly that is designated by a nine-digit fund code in accordance with the Budget Code Structure and the State Accounting System Uniform Chart of Accounts set out in the Administrative Policies and Procedures Manual of the Office of the State Controller."

- (2) For the 1996-97 fiscal year only, the Director of the Budget may deviate from the provisions of G.S. 143-23(a1)(3) that limit total overexpenditures of a purpose or program under that subdivision for a fiscal year to the lesser of five hundred thousand dollars (\$500,000) or ten percent (10%) of the amount appropriated from all sources for the purpose or program, unless such overexpenditures are necessary to provide matching funds for federal entitlement programs, if:

- a. The Director of the Budget finds that compliance is impossible and that deviation is necessary because of complications in the budget process that were not contemplated when the budget for the 1996-97 fiscal year was enacted; and
- b. The Director of the Budget consults with the Joint Legislative Commission on Governmental Operations prior to authorizing the overexpenditure.

- (g) G.S. 143-25 reads as rewritten:

"§ 143-25. Maintenance appropriations dependent upon adequacy of revenues to support them.

All maintenance appropriations now or hereafter made are hereby declared to be maximum, conditional and proportionate appropriations, the purpose being to make the appropriations payable in full in the amounts named herein if necessary and then only in the event the aggregate revenues collected and available during each fiscal year of the biennium for which such appropriations are made, are sufficient to pay all of the appropriations in full; otherwise, the said appropriations shall be deemed to be payable in such proportion as the total sum of all appropriations bears to the total amount of revenue available in each of said fiscal years. The Director of the Budget is hereby given full power and authority to examine and survey the progress of the collection of the revenue out of which such appropriations are to be made, and to declare and determine the amounts that can be, during each quarter of each of the fiscal years of the biennium properly allocated to each respective appropriation. In making such examination and survey, he shall receive

estimates of the prospective collection of revenues from the Secretary of Revenue and every other revenue collecting agency of the State. The Director of the Budget may reduce all of said appropriations pro rata when necessary to prevent an overdraft or deficit to the fiscal period for which such appropriations are made. The Governor may also reduce all of said appropriations pursuant to Article III, Section 5(3) of the Constitution after consulting with the Joint Legislative Commission on Governmental Operations under G.S. 120-76(8) if prior consultation is required by that section. The purpose and policy of this Article are to provide and insure that there shall be no overdraft or deficit in the general fund of the State at the end of the fiscal period, growing out of appropriations for maintenance and the Director of the Budget is directed and required to so administer this Article as to prevent any such overdraft or deficit. Prior to taking any action under this section to reduce appropriations pro rata, the Governor may consult with the Advisory Budget Commission."

(h)(1) Effective July 1, 1996, G.S. 143-27 reads as rewritten:

"§ 143-27. Appropriations to educational, charitable and correctional institutions are in addition to receipts by them.

All appropriations now or hereafter made to the educational institutions, and to the charitable and correctional institutions, and to such other departments and agencies of the State as receive moneys available for expenditure by them are declared to be in addition to such receipts of said institutions, departments or agencies, and are to be available as and to the extent that such receipts are insufficient to meet the costs anticipated in the budget authorized by the General Assembly, of maintenance of such institutions, departments, and agencies; Provided, however, that if the receipts, other than gifts and grants that are unanticipated and are for a specific purpose only, collected in a fiscal year by an institution, department, or agency exceed the receipts certified for it in General Fund Codes or Highway Fund Codes, the Director of the Budget shall decrease the amount he allots to that institution, department, or agency from appropriations from that Fund by the amount of the excess, unless the Director of the Budget has consulted with the Joint Legislative Commission on Governmental Operations and unless the Director of the Budget finds that (i) the appropriations from that Fund are necessary to maintain the function that generated the receipts at the level anticipated in the certified Budget Codes for that ~~Fund~~. Fund and (ii) the funds may be expended in accordance with G.S. 143-23. Notwithstanding the foregoing provisions of this section, receipts within The University of North Carolina realized in excess of budgeted levels shall be available, up to a maximum of ten percent (10%) above budgeted levels, for each Budget Code, in addition to appropriations, to support the operations generating such receipts, as approved by the Director of the Budget.

The Office of State Budget and Management shall report to the Joint

Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office within 30 days after the end of each quarter on expenditures of receipts in excess of the amounts certified in General Fund Codes or Highway Fund Codes that did not result in a corresponding reduced allotment from appropriations from that Fund."

- (2) Effective July 1, 1997, G.S. 143-27, as rewritten by subdivision (1) of this subsection, reads as rewritten:

"§ 143-27. Appropriations to educational, charitable and correctional institutions are in addition to receipts by them.

All appropriations now or hereafter made to the educational institutions, and to the charitable and correctional institutions, and to such other departments and agencies of the State as receive moneys available for expenditure by them are declared to be in addition to such receipts of said institutions, departments or agencies, and are to be available as and to the extent that such receipts are insufficient to meet the costs anticipated in the budget authorized by the General Assembly, of maintenance of such institutions, departments, and agencies; Provided, however, that if the receipts, other than gifts and grants that are unanticipated and are for a specific purpose only, collected in a fiscal year by an institution, department, or agency exceed the receipts certified for it in General Fund ~~Codes~~ or Codes, Highway Fund ~~Codes~~, or budgeted Special Fund Codes, the Director of the Budget shall decrease the amount he allots to that institution, department, or agency from appropriations from that Fund by the amount of the excess, unless the Director of the Budget has consulted with the Joint Legislative Commission on Governmental Operations and unless the Director of the Budget finds that (i) the appropriations from that Fund are necessary to maintain the function that generated the receipts at the level anticipated in the certified Budget Codes for that Fund and (ii) the funds may be expended in accordance with G.S. 143-23. Notwithstanding the foregoing provisions of this section, receipts within The University of North Carolina realized in excess of budgeted levels shall be available, up to a maximum of ten percent (10%) above budgeted levels, for each Budget Code, in addition to appropriations, to support the operations generating such receipts, as approved by the Director of the Budget.

The Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office within 30 days after the end of each quarter on expenditures of receipts in excess of the amounts certified in General Fund ~~Codes~~ or Codes, Highway Fund ~~Codes~~ Codes, or budgeted Special Fund Codes, that did not result in a corresponding reduced allotment from appropriations from that Fund."

- (3) For the 1996-97 fiscal year, the the Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research

Division of the Legislative Services Office within 30 days after the end of each quarter on expenditures of receipts in budgeted Special Fund Codes in excess of the amounts certified in those Special Fund Codes.

(i) G.S. 116-30.2 reads as rewritten:

"§ 116-30.2. Appropriations to special responsibility constituent institutions.

All General Fund appropriations made by the General Assembly for continuing operations of a special responsibility constituent institution of The University of North Carolina shall be made in the form of a single sum to each budget code of the institution for each year of the fiscal period for which the appropriations are being made. Notwithstanding G.S. 143-23(a1), G.S. 143-23(a2), and ~~G.S. 143-23(a3)~~, G.S. 143-23(a3) and G.S. 120-76(8), each special responsibility constituent institution may expend the General Fund monies so appropriated to it in the manner deemed by the Chancellor to be calculated to maintain and advance the programs and services of the institutions, consistent with the directives and policies of the Board of Governors. The preparation, presentation, and review of General Fund budget requests of special responsibility constituent institutions shall be conducted in the same manner as are requests of other constituent institutions. The quarterly allotment procedure established pursuant to G.S. 143-17 shall apply to the General Fund appropriations made for the current operations of each special responsibility constituent institution. All General Fund monies so appropriated to each special responsibility constituent institution shall be recorded, reported, and audited in the same manner as are General Fund appropriations to other constituent institutions."

(j) G.S. 143-16.3 reads as rewritten:

"§ 143-16.3. No expenditures for purposes for which the General Assembly has considered but not enacted an appropriation.

Notwithstanding any other provision of law, no funds from any source, except for gifts, grants, and funds allocated from the Contingency and Emergency Fund ~~by the Council of State~~, in accordance with G.S. 143-12(b), may be expended for any purpose, position, or other expenditure for which the General Assembly has considered but not enacted an appropriation of funds for the current fiscal period. For the purpose of this section, the General Assembly has considered a purpose, position, or other expenditure when that purpose is included in a ~~bill~~ bill, amendment, or petition ~~or~~ and when any committee of the Senate or the House of Representatives deliberates on that purpose."

(k) G.S. 116-30.1 reads as rewritten:

"§ 116-30.1. Special responsibility constituent institutions.

The Board of Governors of The University of North Carolina, acting on recommendation made by the President of The University of North Carolina

after consultation by him with the State Auditor, may designate one or more constituent institutions of The University as special responsibility constituent institutions. That designation shall be based on an express finding by the Board of Governors that each institution to be so designated has the management staff and internal financial controls that will enable it to administer competently and responsibly all additional management authority and discretion to be delegated to it. The Board of Governors, on recommendation of the President, shall adopt rules prescribing management staffing standards and internal financial controls and safeguards, including the lack of any significant exceptions or audit findings in the annual financial audit by the State Auditor's Office, that must be met by a constituent institution before it may be designated a special responsibility constituent institution and must be maintained in order for it to retain that designation. These rules shall not be designed to prohibit participation by a constituent institution because of its size. These rules shall establish procedures for the President and his staff to review the annual financial audit reports or any other special or performance audit reports issued by the State Auditors Office for each special responsibility constituent institution. The President shall take immediate action regarding reported weaknesses in the internal control structure, deficiencies in the accounting records, and noncompliance with rules and regulations. In any instance where such audit exceptions are identified, the President shall notify the Chancellor of the particular special responsibility constituent institution that such exceptions must be resolved to the satisfaction of the State Auditor and the President of The University within a three-month period commencing with the date of receipt of the published financial audit report. If the exceptions are not satisfactorily resolved within a three-month period, the President of The University shall recommend to the Board of Governors at its next meeting that the designation of the particular institution as a special responsibility constituent institution be terminated until such time as the exceptions are resolved to the satisfaction of the State Auditor and the President of The University of North Carolina. However, once the designation as a special responsibility constituent institution has been withdrawn by the Board of Governors, reinstatement may not be effective until the beginning of the following fiscal year at the earliest. Any actions taken by the Board of Governors with respect to withdrawal or reinstatement of an institution's status as a special responsibility constituent institution shall be reported immediately to the Joint Legislative Education Oversight Committee.

The rules established under this section shall include review and consultation with the State Auditor, the Director of the Office of State Personnel, and the Director of the Division of State Purchasing and Contracts in ascertaining whether or not a constituent institution has the management staff and internal financial controls to administer the additional authorities authorized under G.S. 116-30.2, 116-30.4, and 143-53.1. Such review and

consultation must take place no less frequently than once each biennium."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

PERFORMANCE BUDGETING

Sec. 7.6. Notwithstanding the provisions of G.S. 143-16.3, Section 10(b) of Chapter 324 of the 1995 Session Laws, and Section 6.5 of Chapter 507 of the 1995 Session Laws, the Director of the Budget may expend funds to continue to develop performance/program budget analysis for the 10 program areas of North Carolina State government that were identified by the Governmental Performance Audit Commission. The Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations by December 1, 1996, regarding the development of performance/program budget analysis of State departments and institutions, its effectiveness, whether it should be continued, and any modifications that should be made.

The format of the presentation of the recommended 1997-99 State budget to the 1997 General Assembly shall follow that of presenting by department budget codes the line-item requirements for each fund along with a cross-reference to the appropriate program area and program outcome measure related to the budget fund.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

HISTORIC PROPERTIES ACQUISITIONS/REPORTING REQUIREMENT

Sec. 7.7. (a) G.S. 121-9 reads as rewritten:

"§ 121-9. Historic properties.

(a) Administration of Properties Acquired by State. -- Historic or archaeological properties acquired by the State for administration by the State of North Carolina shall be under the control and administration of the Department of Cultural Resources. Upon approval of the North Carolina Historical Commission and the Secretary of Cultural Resources, the Department of Cultural Resources may, in its discretion, make a contract with any county or municipality within the State or with any nonprofit corporation or organization for the administration of any portion of such property.

(b) Acquisition of Historic Properties. -- For the purpose of protecting or preserving any property of historical, architectural, archaeological, or other cultural importance to the people of North Carolina, and subject to the provisions of Subchapter II of Chapter 146 of the General Statutes, the Department may, with the approval of the North Carolina Historical Commission, Commission and after consultation with the Joint Legislative Commission on Governmental Operations, acquire, preserve, restore, hold,

maintain, operate, and dispose of such properties, together with such adjacent lands as may be necessary for their protection, preservation, maintenance, and operation. Such property may be real or personal in nature, and in the case of real property, the acquisition may include the fee or any lesser interest therein. Property may be acquired by gift, grant, bequest, devise, lease, purchase, or condemnation pursuant to the provisions of Chapter 40A of the General Statutes, or otherwise. Property may be acquired by the Department, using such funds as may be appropriated for the purpose or moneys available to it from any other source.

(b1) In the case of real property, the North Carolina Historical Commission shall report the following information to the Joint Legislative Commission on Governmental Operations before acquiring the property:

- (1) The statewide historical significance of the site.
- (2) The potential uses of the site.
- (3) The capital requirements of the site over a 20-year period of time.
- (4) The annual operating costs of the site.
- (5) The expected levels of visitation at the site.
- (6) Any other information that would assist in determining the full cost of maintaining, operating, and administering the site as State property.

(c) Interests Which May Be Acquired. -- In the case of real property, the interest acquired shall be limited to that estate, interest, or term deemed by the Department to be reasonably necessary for the continued protection or preservation of the property. The Department may acquire the fee simple title, but where it finds that a lesser interest, including any development right, negative or affirmative easement in gross or appurtenant, covenant, lease, or other contractual right of or to any real property to be the most practical and economical method of protecting and preserving historic property, the lesser interest may be acquired.

(d) Conveyance of Property for Preservation Purposes. -- In appropriate cases, the Department may acquire or dispose of the fee or lesser interest to any such property for the specific purpose of conveying or leasing the property back to its original owner or of conveying or leasing it to such other person, firm, association, corporation, or other organization under such covenants, deed restrictions, lease, or other contractual arrangements as will limit the future use of the property in such a way as to insure its preservation. Where such action is taken, the property may be conveyed or leased by private sale. In all cases where property is conveyed, it shall be subjected by covenant or otherwise to such rights of access, public visitation, and other conditions or restrictions of operation, maintenance, restoration, and repair as the Department may prescribe, or to such conditions as may be agreed upon between the Department and the grantee or lessee to accomplish the purposes

of this section.

(e) Use of Property so Acquired. -- Any historic property acquired, whether in fee or otherwise, may be used, maintained, improved, restored, or operated by the Department for any public purpose within its powers and not inconsistent with the purpose of the continued preservation of the property. The property shall not be subject to condemnation by the State of North Carolina or any of its agencies or political subdivisions at any time, unless such method of acquisition is first approved by the Governor and Council of State.

(f) Emergency Acquisition Where Funds Not Immediately Available. -- If funds or contributions for the acquisition of needed historic property are not available, the Governor and Council of State may, upon the recommendation of the Secretary of Cultural Resources and approval of the North Carolina Historical Commission, allocate from the Contingency and Emergency Fund an amount sufficient to acquire an option on the property or properties, which option shall continue until 90 days after the adjournment sine die of the next General Assembly. Upon recommendation of the Secretary and approval of the Historical Commission, the Governor and Council of State may allocate funds from the Contingency and Emergency Fund for the immediate acquisition, preservation, restoration, or operation of historically, archaeologically, architecturally, or culturally important properties. All funds hereinafter appropriated to purchase, restore, maintain, develop, or operate historic or archaeological or other important property shall be administered subject to the provisions of Article 1 of Chapter 143 of the General Statutes unless the statute making the appropriation shall in specific and express terms provide otherwise.

(g) Power to Acquire Property by Condemnation. -- In the event that a property which has been found by the Department of Cultural Resources to be important for public ownership or assistance is in danger of being sold, used, or neglected to such an extent that its historical or cultural importance will be destroyed or seriously impaired, or that the property is otherwise in danger of destruction or serious impairment, the Department of Cultural Resources, after receiving the approval of the North Carolina Historical Commission and of the Governor and Council of State, may acquire the historic property or any interest therein by condemnation under the provisions of Chapter 40A of the General Statutes. The Department of Cultural Resources, upon finding that destruction or serious impairment of the value of the property is imminent, shall file with the Governor and Council of State a report on the importance of the property and the desirability of ownership of the property, or the ownership of an interest therein, by the State of North Carolina. Upon giving their approval, the Governor and Council of State shall cause to have filed such approval with the clerk of the superior court in the county or counties where the property is situated. Until the approval is filed, the power of

condemnation may not be exercised. All condemnation proceedings shall be instituted and prosecuted in the name of the State of North Carolina.

(h) Preservation and Custodial Care of State Capitol. -- The rotunda, corridors, and stairways of the first floor of the State Capitol and all portions of the second, third, and loft floors of the said building shall be placed in the custody of the Department of Cultural Resources; and the Department shall, subject to the availability of funds for the purpose, care for and administer these areas for the edification of present and future generations. The aforesaid areas shall be preserved as historic shrines and shall be maintained insofar as practicable as they shall appear following the restoration of the Capitol. The Department of Cultural Resources is authorized to deny the use of the legislative chambers for meetings in order that they, with their historic furnishings, may be better preserved for posterity; provided, however, that the General Assembly may hold therein such sessions as it may by resolution deem proper.

The Department of Cultural Resources is hereby entrusted with the responsibilities herein specified as being the agency with the experience best qualified to preserve and administer historic properties in a suitable manner. However, for the purposes of carrying out the provisions of this section, it is hereby directed that such cooperation and assistance shall be made available to the said Department of Cultural Resources and such labor supplied, as may be feasible, by the Department of Administration.

The offices and working areas of the first floor as well as all washrooms and the exterior of the Capitol shall remain under the jurisdiction of the Department of Administration: Provided, however, that the Department of Administration shall seek the advice of the Department of Cultural Resources in matters relating to any alteration, renovation, and furnishing of said offices and areas."

(b) G.S. 146-26 reads as rewritten:

"§ 146-26. Donations and devises to State.

No devise or donation of land or any interest therein to the State or to any State agency shall be effective to vest title to the ~~said~~ land or any interest therein in the State or in any State agency until the devise or donation is accepted by the Governor and Council of State. If the land is devised or donated to the State or to any State agency as an historic property, then title shall not vest until the Historical Commission reports to the Joint Legislative Commission on Governmental Operations as provided in G.S. 121-9. Upon acceptance by the Governor and Council of State, title to the said land or interest therein shall immediately vest as of the time title would have vested but for the above requirement of reporting to the Joint Legislative Commission on Governmental Operations if an historic property and acceptance by the Governor and Council of State."

Requested by: Representatives Ives, Lemmond, Senators Warren, Sherron
TOTAL QUALITY MANAGEMENT

Sec. 7.8. For the 1996-97 fiscal year only, the provisions of G.S. 143-16.3 do not apply to The Total Quality Management Program. This program shall be administered by the Office of State Budget and Management.

Requested by: Senators Perdue, Plyler, Odom, Representatives Holmes, Creech, Esposito

DISASTER RELIEF FUNDS

Sec. 7.9. The Director of the Budget may use lapsed salary funds for the 1995-97 fiscal biennium to match federal funds for disaster relief.

Requested by: Representatives Creech, Holmes, Esposito, Senators Sherron, Plyler, Odom, Perdue

CLARIFYING AND TECHNICAL CHANGES/ADMINISTRATIVE RULES

Sec. 7.10. (a) G.S. 150B-19 reads as rewritten:

"§ 150B-19. Restrictions on what can be adopted as a rule.

An agency may not adopt a rule that does one or more of the following:

- (1) Implements or interprets a law unless that law or another law specifically authorizes the agency to do so.
- (2) Enlarges the scope of a profession, occupation, or field of endeavor for which an occupational license is required.
- (3) Imposes criminal liability or a civil penalty for an act or omission, including the violation of a rule, unless a law specifically authorizes the agency to do so or a law declares that violation of the rule is a criminal offense or is grounds for a civil penalty.
- (4) Repeats the content of a law, a rule, or a federal regulation. A brief statement that informs the public of a requirement imposed by law does not violate this subdivision and satisfies the 'reasonably necessary' standard of review set in G.S. 150B-21.9(a)(3).
- (5) Establishes a ~~reasonable~~ fee or other ~~reasonable~~ charge for providing a service in fulfillment of a duty unless a law specifically authorizes the agency to do so or the fee or other charge is for one of the following:
 - a. A service to a State, federal, or local governmental unit.
 - b. A copy of part or all of a State publication or other document, the cost of mailing a document, or both.
 - c. A transcript of a public hearing.
 - d. A conference, workshop, or course.
 - e. Data processing services.
- (6) Allows the agency to waive or modify a requirement set in a

rule unless a rule establishes specific guidelines the agency must follow in determining whether to waive or modify the requirement."

(b) G.S. 150B-20(e) is repealed.

(c) G.S. 150B-21.1(d) reads as rewritten:

"(d) Effective Date and Expiration. -- A temporary rule becomes effective on the date specified in G.S. 150B-21.3. A temporary rule expires on the earliest of the following dates:

(1) The date specified in the rule.

(2) The effective date of the permanent rule adopted to replace the temporary rule, if the Commission approves the permanent rule.

(3) The date the Commission returns to an agency a permanent rule the agency adopted to replace the temporary rule, ~~if the Commission objects to the permanent rule.~~ rule.

(4) The effective date of an act of the General Assembly that specifically disapproves a permanent rule adopted to replace the temporary rule.

(5) 270 days from the date the temporary rule was published in the North Carolina Register, unless the permanent rule adopted to replace the temporary rule has been submitted to the Commission."

(d) G.S. 150B-21.1(e) reads as rewritten:

"(e) Publication. -- When the Codifier of Rules enters a temporary rule in the North Carolina Administrative Code, the Codifier must publish the rule in the North Carolina Register. Publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings for a permanent rule ~~that does not differ substantially from~~ if the permanent rule is substantially the same as the published temporary rule, unless the agency published a notice of rule-making proceedings at least 60 days before it adopted the temporary rule."

(e) G.S. 150B-21.2(e) reads as rewritten:

"(e) Hearing. -- An agency must hold a public hearing on a rule it proposes to adopt if the agency publishes the text of the proposed rule in the North Carolina Register and all the following apply:

(1) The notice of ~~rule-making proceedings~~ rule-making proceedings text does not schedule a public hearing on the proposed rule.

(2) The agency receives a written request for a public hearing on the proposed rule within 15 days after the notice of ~~rule-making proceedings~~ rule-making proceedings text is published.

(3) The proposed text is not a changed version of proposed text the agency previously published in the course of rule-making proceedings but did not adopt.

An agency may hold a public hearing on a proposed rule in other circumstances. When an agency is required to hold a public hearing on a proposed rule or decides to hold a public hearing on a proposed rule when it is not required to do so, the agency must publish in the North Carolina Register a notice of the date, time, and place of the public hearing. The hearing date of a public hearing held after the agency publishes notice of the hearing in the North Carolina Register must be at least 15 days after the date the notice is published."

(f) G.S. 150B-21.3 is amended by adding a new subsection to read:

"(f) Technical Change. -- A permanent rule for which no notice or hearing is required under G.S. 150B-21.5(a) or (b) becomes effective on the first day of the month following the month the rule is approved by the Rules Review Commission."

(g) G.S. 150B-2(2) reads as rewritten:

"(2) 'Contested case' means an administrative proceeding pursuant to this Chapter to resolve a dispute between an agency and another person that involves the person's rights, duties, or privileges, including licensing or the levy of a monetary penalty. 'Contested case' does not include rulemaking, declaratory rulings, or the award or denial of a ~~scholarship or grant~~. scholarship, a grant, or a loan."

(h) G.S. 120-70.101(8) reads as rewritten:

"(8) To report to the General Assembly ~~at the beginning of each regular session from time to time~~ concerning the Committee's activities and any recommendations for statutory changes."

(i) G.S. 89C-3(6) reads as rewritten:

"(6) Practice of engineering. --

a. Any service or creative work, the adequate performance of which requires engineering education, training, and experience, in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, engineering surveys, and the observation of construction for the purposes of assuring compliance with drawings and specifications, including the consultation, investigation, evaluation, planning, and design for either private or public use, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic,

pneumatic or thermal nature, insofar as they involve safeguarding life, health or property, and including such other professional services as may be necessary to the planning, progress and completion of any engineering services.

A person shall be construed to practice or offer to practice engineering, within the meaning and intent of this Chapter, who practices any branch of the profession of engineering; or who, by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be a professional engineer, or through the use of some other title implies that he is a professional engineer or that he is registered under this Chapter; or who holds himself out as able to perform, or who does perform any engineering service or work not exempted by this Chapter, or any other service designated by the practitioner which is recognized as engineering.

- b. The term 'practice of engineering' shall not be construed to permit the location, description, establishment or reestablishment of property lines or descriptions of land boundaries for conveyance. The term does not include the assessment of an underground storage tank required by applicable rules at closure or change in service unless there has been a discharge or release of the product from the tank."

(j) G.S. 89E-3(4) reads as rewritten:

"(4) 'Geology' means the science dealing with the earth and its history; investigation, prediction and location of the materials and structures which compose it; the natural processes that cause change in the earth; and the applied science of utilizing knowledge of the earth and its constituent rocks, minerals, liquids, gases and other materials for the benefit of mankind. This definition shall not include any service of the following:

- a. Service or creative works, the adequate performance of which requires engineering education, training, and experience.
- b. The assessment of an underground storage tank required by applicable rules at closure or change in service unless there has been a discharge or release of the product from the tank."

(k) G.S. 89C-14(b) reads as rewritten:

"(b) ~~The registration fee shall be established by the Board in an An~~

applicant for registration who is required to take the written examination shall pay a fee equal to the cost of the examination to the Board plus an additional amount not to exceed one hundred dollars (~~\$100.00~~) which (\$100.00). The fee shall accompany the applications- application. The fee for comity registration of engineers and land surveyors who hold unexpired certificates in another state or a territory of the United States or in Canada shall be the total current fee as fixed by the Board."

(l) Subsection (c) of this section becomes effective December 1, 1996, and applies to temporary rules published on or after December 1, 1995, except temporary rules published on or after December 1, 1995, for which the permanent rules adopted to replace the temporary rules have not been submitted to the Rules Review Commission within 270 days of publication of the temporary rules may remain effective under this section if the permanent rules are submitted to the Rules Review Commission by December 1, 1996. All other subsections of this section are effective upon ratification of this act.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odum

CAPITAL RESERVE

Sec. 7.11. Of the funds appropriated in Chapters 324 and 507 of the 1995 Session Laws from the General Fund for the 1995-96 fiscal year for current operations, the sum of thirty-nine million five hundred nineteen thousand five hundred sixty-seven dollars (\$39,519,567) shall be transferred to a reserve for capital expenditures. Funds in the reserve shall be used for capital projects authorized as follows:

Capital Improvements - General Fund

1996-1997

Department of Administration

Prison Construction

- | | |
|--------------------------------|--------------|
| 1. Southern Piedmont Area Unit | \$ 9,000,000 |
| 2. Modular Housing Units | 5,000,000 |
| 3. Prison Unit Improvements | 1,600,000 |
| 4. Plan and Design Facilities | 2,350,000 |

Department of Environment, Health, and Natural Resources

- | | |
|-------------------------------|-----------|
| 1. Water Resources | 8,705,000 |
| 2. Museum of Natural Sciences | 500,000 |

University of North Carolina - Board of Governors

- | | |
|------------------------------------|--|
| 1. NCSU - Advanced planning for an | |
|------------------------------------|--|

Undergraduate General Chemistry and Physics Building	2,000,000
2. NCA&T - Advanced planning for a General Classroom and Lab Bldg.	1,000,000
3. UNC-G - Advanced planning for a Science Instructional Bldg.	2,000,000
4. UNC-C - Advanced planning for Classroom Facilities	1,000,000
5. Western Carolina - Advanced planning for a Fine Arts Center	2,000,000
6. ECU - Advanced planning for the Science Laboratories and Technology Bldg.	1,000,000

Department of Crime Control
and Public Safety

- | | |
|--|--------|
| 1. National Guard Armory - Mecklenburg | 87,567 |
|--|--------|

Department of Transportation

- | | |
|---|-----------|
| 1. Global Transpark Education and Training Center (State match) | 3,277,000 |
|---|-----------|

Requested by: Representatives Holmes, Esposito, Creech, Senators Plyler, Perdue, Odom

USE OF FUNDS IN RESERVES

Sec. 7.12. (a) Of the funds appropriated from the General Fund for the 1995-96 fiscal year, the Director of the Budget shall transfer the sum of five million seventy-six thousand four hundred sixty-six dollars (\$5,076,466) to the Reserve for Disaster Relief. These funds shall not be subject to the provisions of G.S. 143-16.3.

(b) Of the funds appropriated from the General Fund for the 1996-97 fiscal year, the Director of the Budget shall transfer the sum of five million one hundred thousand dollars (\$5,100,000) to the Reserve for Moving Expenses. These funds shall not be subject to the provisions of G.S. 143-16.3.

(c) Subsection (a) of this section becomes effective June 30, 1996.

PART 7A. OFFICE OF STATE TREASURER

Requested by: Representatives Creech, Holmes, Esposito, Ives, Lemmond, Senators Warren, Sherron

FORFEITED RESERVATION DEPOSITS DO NOT ESCHEAT

Sec. 7A. (a) Article 2 of Chapter 116B of the General Statutes is amended by adding a new section to read:

"§ 116B-23. Exclusion for forfeited reservation deposits.

Property or funds withheld by a business association as a penalty or forfeiture or as damages in the event a person who has reserved the services of the business association fails to make use of and pay for the services, regardless of any practice or policy of the business association related to the return of withheld funds, is not unclaimed or abandoned property."

(b) The Legislative Research Commission shall study the implementation and enforcement of Chapter 116B of the General Statutes, Escheats and Abandoned Property, including relevant policies and procedures of the Office of State Treasurer. The study shall include a review of: (i) the policy of the Office of State Treasurer regarding the requirement that funds withheld by persons and business associations, including nonprofit corporations, as penalties, forfeitures, or damages for unused reservations escheat, (ii) the effects the policy has on the economy of the State and on the business industry, and (iii) the effects G.S. 116B-23 will have on the citizens of the State as consumers. The Legislative Research Commission shall report its findings and recommendations to the 1997 General Assembly.

(c) Subsection (a) of this section applies to funds held or collected by business associations on or after July 1, 1996. Subsection (a) of this section expires June 30, 1997, but all funds collected or held by business associations before June 30, 1997, shall not escheat.

PART 8. GENERAL ASSEMBLY

Requested by: Representatives Holmes, Creech, Esposito, Senator Warren
LEGISLATIVE SERVICES OFFICER POSITION

Sec. 8. (a) G.S. 20-79.5(a) reads as rewritten:

"(a) Plates. -- The State government officials listed in this section are eligible for a special registration plate under G.S. 20-79.4. The plate shall bear the number designated in the following table for the position held by the official.

Position	Number on Plate
Governor	1
Lieutenant Governor	2
Speaker of the House of Representatives	3
President Pro Tempore of the Senate	4
Secretary of State	5
State Auditor	6
State Treasurer	7

Superintendent of Public Instruction	8
Attorney General	9
Commissioner of Agriculture	10
Commissioner of Labor	11
Commissioner of Insurance	12
Speaker Pro Tempore of the House	13
Legislative Administrative Officer	14
<u>Legislative Services Officer</u>	
Secretary of Administration	15
Secretary of Environment, Health, and Natural Resources	16
Secretary of Revenue	17
Secretary of Human Resources	18
Secretary of Commerce	19
Secretary of Correction	20
Secretary of Cultural Resources	21
Secretary of Crime Control and Public Safety	22
Governor's Staff	23-29
State Budget Officer	30
State Personnel Director	31
Advisory Budget Commission Nonlegislative Member	32-41
Chair of the State Board of Education	42
President of the U.N.C. System	43
Alcoholic Beverage Control Commission	44-46
Assistant Commissioners of Agriculture	47-48
Deputy Secretary of State	49
Deputy State Treasurer	50
Assistant State Treasurer	51
Deputy Commissioner for the Department of Labor	52
Chief Deputy for the Department of Insurance	53
Assistant Commissioner of Insurance	54
Deputies and Assistant to the Attorney General	55-65
Board of Economic Development Nonlegislative Member	66-88
State Ports Authority Nonlegislative Member	89-96
Utilities Commission Member	97-104
<u>Post-Release Supervision and</u>	

Parole Commission Member	105-109
State Board Member, Commission Member, or State Employee Not Named in List	110-200".

(b) G.S. 120-3.1(a)(3) reads as rewritten:

"(3) A subsistence allowance for meals and lodging at a daily rate equal to the maximum per diem rate for federal employees traveling to Raleigh, North Carolina, as set out at 58 Federal Register 67959 (December 22, 1993), while the General Assembly is in session and, except as otherwise provided in this subdivision, while the General Assembly is not in session when, with the approval of the Speaker of the House of Representatives in the case of Representatives or the President Pro Tempore of the Senate in case of Senators, the member is:

- a. Traveling as a representative of the General Assembly or of its committees or commissions, or
- b. Otherwise in the service of the State.

A member who is authorized to travel, whether in or out of session, within the United States outside North Carolina, may elect to receive, in lieu of the amount provided in the preceding paragraph, a subsistence allowance of twenty-six dollars (\$26.00) a day for meals, plus actual expenses for lodging when evidenced by a receipt satisfactory to the ~~Legislative Administrative Officer~~, Legislative Services Officer, the latter not to exceed the maximum per diem rate for federal employees traveling to the same place, as set out at 58 Federal Register 67950-67964 (December 22, 1993) and at 59 Federal Register 23702-23709 (May 6, 1994)."

(c) G.S. 120-32.1 reads as rewritten:

"§ 120-32.1. Use and maintenance of buildings and grounds.

(a) The Legislative Services Commission shall:

- (1) Establish policy for the use of the State legislative buildings and grounds;
- (2) Maintain and care for the State legislative buildings and grounds, but the Commission may delegate the actual work of the maintenance of those buildings and grounds to the Department of Administration, which shall perform the work as delegated;
- (3) Provide security for the State legislative buildings and grounds;
- (4) Allocate space within the State legislative buildings and grounds; and
- (5) Have the exclusive authority to assign parking space in the State legislative buildings and grounds.

(b) The ~~Legislative Administrative Officer~~ Legislative Services Officer shall have posted the rules adopted by the Legislative Services Commission under the authority of this section in a conspicuous place in the State Legislative Building and the Legislative Office Building. The ~~Legislative Administrative Officer~~ Legislative Services Officer shall have filed a copy of the rules, certified by the chairman of the Legislative Services Commission, in the office of the Secretary of State and in the office of the Clerk of the Superior Court of Wake County. When so posted and filed, these rules shall constitute notice to all persons of the existence and text of the rules. Any person, whether on his own behalf or for another, or acting as an agent or representative of any person, firm, corporation, partnership or association, who knowingly violates any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor. Any person, firm, corporation, partnership or association who combines, confederates, conspires, aids, abets, solicits, urges, instigates, counsels, advises, encourages or procures another or others to knowingly violate any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor.

(c) The Legislative Services Commission may cause to be removed at the owner's expense any vehicle parked in the State legislative buildings and grounds in violation of the rules of the Legislative Services Commission and may cause to be removed any vehicle parked in any State-owned parking space leased to an employee of the General Assembly where the vehicle is parked without the consent of the employee to whom the space is leased.

(d) For the purposes of this section, the term 'State legislative buildings and grounds' means:

- (1) At all times:
 - a. The State Legislative Building and the area between outer walls of the State Legislative Building and the near curblin of those sections of Jones, Wilmington, Lane, and Salisbury Streets which border land on which the State Legislative Building is situated;
 - b. The Legislative Office Building and the areas between its outer walls and the near curblin of those sections of Lane and Salisbury Streets that border the land on which it is situated;
 - c. Any State-owned parking lot which is leased to the General Assembly; and
 - d. The bridge between the State Legislative Building and the State Governmental Mall.
- (2) In addition, the surface area to the far curblin of those sections of Jones, Wilmington, Lane, and Salisbury Streets which border the land on which the State Legislative Building is situated:

- a. When the General Assembly is in regular or extra session; and
- b. On other days on which one or more standing committees of either or both houses of the General Assembly are meeting and the ~~Legislative Administrative Officer~~ Legislative Services Officer determines that additional parking is needed for the functioning of the General Assembly and files notice of the committee's or committees' meetings and his finding that additional parking is needed in the office of the Secretary of State and that of Clerk of the Superior Court of Wake County."

(d) G.S. 120-36.6 reads as rewritten:

"§ 120-36.6. Legislative Fiscal Research staff participation.

Legislative fiscal research staff members may attend all meetings of the Advisory Budget Commission and all hearings conducted by or for the Commission, and may accompany the Commission to inspect the facilities of the State. The ~~Legislative Administrative Officer~~ Legislative Services Officer shall designate a member of the Fiscal Research staff, and a member of the General Research or Bill Drafting staff who may attend all meetings of the Board of Awards and Council of State, unless the Board or Council has voted to exclude them from the specific meeting, provided that no final action may be taken while they are so excluded. The Legislative Services Officer and the Director of Fiscal Research shall be notified of all such meetings, hearings and trips in the same manner and at the same time as notice is given to members of the Board, Commission or Council. The Legislative Services Officer and the Director of Fiscal Research shall be provided with a copy of all reports, memoranda, and other informational material which are distributed to the members of the Board, Commission, or Council; these reports, memoranda and materials shall be delivered to the Legislative Services Officer and the Director of Fiscal Research at the same time that they are distributed to the members of the Board, Commission, or Council."

(e) G.S. 120-70.36 reads as rewritten:

"§ 120-70.36. Staffing.

The ~~Legislative Administrative Officer~~ Legislative Services Officer shall assign as staff to the Joint Select Committee professional employees of the General Assembly, as approved by the Legislative Services Commission. Clerical staff shall be assigned to the Joint Select Committee through the offices of the Supervisor of Clerks of the Senate and Supervisor of Clerks of the House of Representatives. The expenses of employment of clerical staff shall be borne by the Joint Select Committee."

(f) G.S. 120-70.46 reads as rewritten:

"§ 120-70.46. Staffing.

The ~~Legislative Administrative Officer~~ Legislative Services Officer shall assign as staff to the Environmental Review Commission professional employees of the General Assembly, as approved by the Legislative Services Commission. Clerical staff shall be assigned to the Environmental Review Commission through the offices of the Supervisor of Clerks of the Senate and Supervisor of Clerks of the House of Representatives. The expenses of employment of clerical staff shall be borne by the Environmental Review Commission."

(g) G.S. 120-70.52(c) reads as rewritten:

"(c) The Committee shall be funded by appropriations made to the Highway Trust Fund and allocated to the Intrastate System projects. Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Legislative Services Commission, through the ~~Legislative Administrative Officer~~, Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee."

(h) G.S. 120-70.65 reads as rewritten:

"§ 120-70.65. Staffing.

The ~~Legislative Administrative Officer~~ Legislative Services Officer shall assign as staff to the Commission professional employees of the General Assembly, as approved by the Legislative Services Commission. Clerical staff shall be assigned to the Commission through the Offices of the Supervisor of Clerks of the Senate and Supervisor of Clerks of the House of Representatives. The expenses of employment of clerical staff shall be borne by the Commission."

(i) G.S. 120-70.82(c) reads as rewritten:

"(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120- 32.02. The Legislative Services Commission, through the ~~Legislative Administrative Officer~~, Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee."

(j) G.S. 120-70.92(c) reads as rewritten:

"(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Legislative Services Commission, through the ~~Legislative Administrative Officer~~, Legislative Services Officer, shall assign

professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee."

(k) G.S. 120-70.95(c) reads as rewritten:

"(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120- 32.02. The Legislative Services Commission, through the ~~Legislative Administrative Officer~~, Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee."

(l) G.S. 120-70.102(c) reads as rewritten:

"(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Committee may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The Legislative Services Commission, through the ~~Legislative Administrative Officer~~, Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be paid by the Committee."

(m) G.S. 143-8 reads as rewritten:

"§ 143-8. Reporting of legislative and judicial expenditures and financial needs.

On or before the first day of September, biennially, in the even-numbered years, the ~~Legislative Administrative Officer~~ Legislative Services Officer shall furnish the Director a detailed statement of expenditures of the General Assembly for the current fiscal biennium, and an estimate of its financial needs, itemized in accordance with the budget classification adopted by the Director and approved and certified by the President ~~pro tempore~~ Pro Tempore of the Senate and the Speaker of the House of Representatives for each year of the ensuing biennium, beginning with the first day of July thereafter. The Administrative Officer of the Courts shall furnish the Director a detailed statement of expenditures of the judiciary, and for each year of the current fiscal biennium an estimate of its financial needs as provided by law, itemized in accordance with the budget classification adopted by the Director and approved and certified by the Chief Justice for each year of the ensuing

biennium, beginning with the first day of July thereafter. The Director shall include these estimates and accompanying explanations in the budget submitted with such recommendations as the Director may desire to make in reference thereto."

(n) G.S. 147-64.12(b) reads as rewritten:

"(b) The Auditor shall not conduct an audit on a program or activity for which he had management responsibility or in which he has been employed during the preceding two years. The General Assembly shall otherwise provide for the necessary audit of programs and activities within the meaning of this subsection.

If the Auditor's hotline receives a report of allegations of improper governmental activities in a program or activity that the Auditor is prohibited by this subsection from auditing, the Hotline Manager shall transmit the report to the ~~Legislative Administrative Officer~~ Legislative Services Officer or his designee. The report shall retain the same confidentiality after transmittal to the General Assembly that it had in the possession of the Auditor."

(o) All powers, duties, and responsibilities assigned to the Legislative Administrative Officer of the Legislative Services Commission, including the assignment of professional and clerical staff to assist in the work of studies and commissions, shall be transferred to the Legislative Services Officer of the Legislative Services Commission. All rules and policies of the Legislative Services Commission relating to the Legislative Administrative Officer shall apply to the Legislative Services Officer unless otherwise expressly amended or repealed.

Requested by: Representatives Holmes, Creech, Esposito, Senator Warren
EXTENSION OF TERRITORIAL JURISDICTION OF LEGISLATIVE SERVICES COMMISSION TO ALL OF LANE STREET

Sec. 8.1. G.S. 120-32.1(d) reads as rewritten:

"(d) For the purposes of this section, the term 'State legislative buildings and grounds' means:

(1) At all times:

a. The State Legislative ~~Building and the area~~ Building;

a1. The areas between the outer walls of the State Legislative Building and the near curblin of those sections of Jones, Wilmington, ~~Lane~~, and Salisbury Streets which border land on which ~~the State Legislative Building~~ it is situated;

a2. The area between the outer walls of the State Legislative Building and the far curblin of that section of Lane Street which borders the land on which it is situated;

b. The Legislative Office Building and the areas between

its outer walls and the near curbline of those sections of Lane and Salisbury Streets that border the land on which it is situated;

- c. Any State-owned parking lot which is leased to the General Assembly; and
- d. The bridge between the State Legislative Building and the State Governmental Mall.

(2) In addition, the surface area to the far curbline of those sections of Jones, Wilmington, ~~Lane~~, and Salisbury Streets which border the land on which the State Legislative Building is situated:

- a. When the General Assembly is in regular or extra session; and
- b. On other days on which one or more standing committees of either or both houses of the General Assembly are meeting and the Legislative Administrative Officer determines that additional parking is needed for the functioning of the General Assembly and files notice of the committee's or committees' meetings and his finding that additional parking is needed in the office of the Secretary of State and that of Clerk of the Superior Court of Wake County."

Requested by: Representatives Holmes, Creech, Esposito, Senator Warren
ACCESS TO STATE INFORMATION BY LEGISLATIVE SERVICES OFFICE

Sec. 8.2. G.S. 120-32.01 reads as rewritten:

"§ 120-32.01. Information to be supplied.

(a) Every State department, State agency, or State institution shall furnish the Legislative ~~Administrative~~ Services Office and the Research, Fiscal Research, and Bill Drafting Divisions any information or records requested by them. Except when accessibility is prohibited by a federal statute, federal regulation or State statute, every State department, State agency, or State institution shall give the Legislative Services Office and the Fiscal Research Division access to any data base or stored information maintained by computer, telecommunications, or other electronic data processing equipment, whether stored on tape, disk, or otherwise, and regardless of the medium for storage or transmission.

(b) Notwithstanding subsection (a) of this section, access to the State Personnel Management Information System ~~by the Legislative Administrative Office and~~ by the Research and Bill Drafting Divisions shall only be through the Fiscal Research Division."

Requested by: Representatives Ives, Lemmond, Senators Warren, Sherron
AUTOMATED RULE MANAGEMENT SYSTEM FUNDS

Sec. 8.5. From the funds appropriated to the General Assembly for fiscal year 1996-97, up to three hundred thirty-five thousand dollars (\$335,000) shall be used for the development of an automated rule management system to provide electronic access by the General Assembly, the Office of Administrative Hearings, and the Rules Review Commission to all phases of the Administrative Procedure Act rule-making process. Of these funds, up to thirty-five thousand dollars (\$35,000) may be transferred to the Office of Administrative Hearings for computer equipment to implement this automated process.

PART 9. OFFICE OF STATE BUDGET AND MANAGEMENT

Requested by: Representatives Holmes, Creech, Esposito, Senator Warren
RESERVE FOR MOVING EXPENSES/STATE AGENCIES

Sec. 9. Funds transferred in this act to the Reserve for Moving Expenses shall be used to pay for expenses involved in the relocation of State agencies. The Office of State Budget and Management shall solicit requests for allocations from this reserve from all agencies moving into the Old Education Building, the New Education Building, the Old Revenue Building, and any other new building for which construction will be completed during the 1996-97 fiscal year. The Office of State Budget and Management shall first allocate funds needed to pay moving expenses and other costs associated with moving, including telephone lines, data communication lines, and related equipment. No funds shall be expended to furnish new conference rooms, reception areas, open space, and to add centralized filing systems until all agencies scheduled to be moved have been relocated.

PART 10. DEPARTMENT OF ADMINISTRATION

Requested by: Representatives Ives, Lemmond, Senator Warren
DOA TO EVALUATE UTILIZATION OF "STATE-OWNED SPACE"

Sec. 10. The Department of Administration shall study and evaluate the utilization of space in the facilities owned by the State. In its study the Department shall consider the following: whether prime State office space is being used for storage purposes rather than offices; which uses of State space do not need to be located in the Capitol complex and could be located at other less expensive sites; and the merit, if any, of consolidating agency offices currently sited in various locations into either a single location or locations that are closer to each other in proximity. The Department shall also develop a priority list that indicates which uses it is most important to locate in State-owned space. Cost-effectiveness shall be a major criteria in establishing the priorities.

The Department of Administration shall develop a long-term plan to reduce the State's dependency on leased office space and shall report to the General Assembly no later than January 1, 1997, regarding the Department's findings, recommendations, and the proposed long-term plan. The report shall also include the priority list developed by the Department in accordance with this section.

Requested by: Representatives Ives, Lemmond, Senator Warren

DIRECTOR OF THE BUDGET AND STATE CONSTRUCTION MAY TIME SELECTION OF DESIGNERS AND RELEASE OF DESIGN AND CONSTRUCTION FUNDS TO AVOID INFLATION DUE TO MARKET PRICES BEING INCREASED BY THE NUMBER OF CONTRACTS

Sec. 10.1. G.S. 143-135.26(1) reads as rewritten:

- "(1) To adopt rules establishing standard procedures and criteria to assure that the designer selected for each State capital improvement project and the consultant selected for planning and studies of an architectural and engineering nature associated with a capital improvement project or a future capital improvement project has the qualifications and experience necessary for that capital improvement project or the proposed planning or study project. The rules shall provide that the State Building Commission, after consulting with the funded agency, is responsible and accountable for the final selection of the designer and the final selection of the consultant except when the General Assembly or The University of North Carolina is the funded agency. When the General Assembly is the funded agency, the Legislative Services Commission is responsible and accountable for the final selection of the designer and the final selection of the consultant, and when the University is the funded agency, it shall be subject to the rules adopted hereunder, except it is responsible and accountable for the final selection of the designer and the final selection of the consultant. All designers and consultants shall be selected within 60 days of the date funds are appropriated for a project by the General Assembly or the date of project authorization by the Director of the Budget; provided, however, the State Building Commission may grant an exception to this requirement upon written request of the funded agency if (i) no site was selected for the project before the funds were appropriated or (ii) funds were appropriated for advance planning ~~only; only; provided, further, the Director of the Budget, after consultation with the State Construction Office, may waive the 60-day requirement~~

for the purpose of minimizing project costs through increased competition and improvements in the market availability of qualified contractors to bid on State capital improvement projects. The Director of the Budget also may, after consultation with the State Construction Office, schedule the availability of design and construction funds for capital improvement projects for the purpose of minimizing project costs through increased competition and improvements in the market availability of qualified contractors to bid on State capital improvement projects.

The State Building Commission shall submit a written report to the Joint Legislative Commission on Governmental Operations on the Commission's selection of a designer for a project within 30 days of selecting the designer."

Requested by: Representatives Ives, Lemmond, Senator Warren

MOTOR FLEET MANAGEMENT MODIFICATIONS

Sec. 10.2. G.S. 143-341(8)7a.vii is repealed.

Requested by: Representatives Ives, Lemmond, Senator Warren

PROCEEDS OF TIMBER SALES MAY BE USED FOR VETERANS HOMES

Sec. 10.3. Notwithstanding any other provision of law, the net proceeds derived from the sale of timber from land owned by or under the supervision and control of the Department of Administration, Division of Veterans Affairs, shall be deposited in the North Carolina Veterans Home Trust Fund and shall be used for the purposes set out in G.S. 165-48.

PART 11. DEPARTMENT OF CULTURAL RESOURCES

Requested by: Representatives Ives, Lemmond, Culpepper, Senator Warren

RESERVE FUNDS MAY BE USED FOR MUSEUM OF THE ALBEMARLE OR OTHER ALBEMARLE AREA HISTORIC SITES

Sec. 11. Of the funds appropriated in Section 2 of Chapter 324 of the 1995 Session Laws to the Department of Cultural Resources, the sum of forty-seven thousand eight hundred eighty-seven dollars (\$47,887) which is in reserve in the budget of the Department of Cultural Resources for the 1996-97 fiscal year may be used either for the Museum of the Albemarle or for other Albemarle area historic sites.

Requested by: Representative Culpepper, Senator Warren

ROANOKE ISLAND HISTORICAL ASSOCIATION

Sec. 11.1. (a) G.S. 143-200 reads as rewritten:

"§ 143-200. Members of board of directors; terms; appointment.

The governing body of said Association shall be a board of directors consisting of the Governor of the State, the Attorney General and the Secretary of Cultural Resources as ex officio members, and the following 21 members: J. Spencer Love, Greensboro; Miles Clark, Elizabeth City; Mrs. Richard J. Reynolds, Winston-Salem; D. Hiden Ramsey, Asheville; Mrs. Charles A. Cannon, Concord; Dr. Fred Hanes, Durham; Mrs. Frank P. Graham, Chapel Hill; Bishop Thomas C. Darst, Wilmington; W. Dorsey Pruden, Edenton; John A. Buchanan, Durham; William B. Rodman, Jr., Washington; J. Melville Broughton, Raleigh; Melvin R. Daniels, Manteo; Paul Green, Chapel Hill; Samuel Selden, Chapel Hill; R. Bruce Etheridge, Manteo; Theodore S. Meekins, Manteo; Roy L. Davis, Manteo; M. K. Fearing, Manteo; A. R. Newsome, Chapel Hill. The members of said board of directors herein named other than the ex officio members, shall serve for a term of two years and until their successors are appointed. Appointments thereafter shall be made by the membership of the Association in regular annual meeting or special meeting called for such purpose, and in purpose. In the event the Association through its membership should fail to make such appointments, then the appointments shall be made by the Governor of the State. If a vacancy occurs between annual meetings, the board of directors may fill the vacancy until the next annual meeting. All vacancies ~~Vacancies~~ occurring on the board of directors not filled by the board of directors within 30 days of the vacancy shall be filled by the Governor of the State."

(b) This section is effective upon ratification.

Requested by: Representatives Ives, Lemmond, Senator Warren
**DEPARTMENT OF CULTURAL RESOURCES TO REVIEW
 ADMISSION RATES FOR HISTORIC SITES**

Sec. 11.2. The Department of Cultural Resources shall review the admission fees and concession prices charged at each historic site. The Department shall evaluate on a site-by-site basis whether those charges are competitive with the admission fees and concession prices charged at other historic sites and how an increase in prices would impact visitation of each site. The Department of Cultural Resources shall report its findings and recommendations to the 1997 General Assembly.

Requested by: Senators Warren, Sherron, Representatives Ives, Lemmond
**DEPARTMENT OF CULTURAL RESOURCES RETAIN HISTORICAL
 PUBLICATIONS RECEIPTS**

Sec. 11.3. The Historical Publications Section, Division of Archives and History, Department of Cultural Resources, may retain the receipts, including over-realized receipts, from the sale of its publications. The receipts from the sale of those publications retained by the Historical Publications

Section, Division of Archives and History, Department of Cultural Resources, shall not revert, but shall be used to reprint the publications.

Requested by: Senators Warren, Sherron, Representatives Ives, Lemmond
DEPARTMENT OF CULTURAL RESOURCES TO STUDY THE HISTORIC SIGNIFICANCE OF THE PRINCEVILLE CEMETERY AND OF SOUTH GRANVILLE MEMORIAL GARDENS

Sec. 11.4. The Department of Cultural Resources shall study the historical significance of the cemetery located in Princeville, the oldest African-American community in North America and shall also study the historical significance of the cemetery in Butner, known as South Granville Memorial Gardens. The Department shall consider what efforts should be taken to preserve and maintain the cemeteries, and shall also consider whether the cemetery in Princeville should be nominated to the National Register of Historic Places. The Department shall report its findings and recommendations to the 1997 General Assembly.

Requested by: Senators Plyler, Perdue, Odom
MATCH FOR ANTICIPATED NON-STATE FUNDS

Sec. 11.5. Of the funds appropriated to the Department of Cultural Resources, the sum of one million dollars (\$1,000,000) for the 1996-97 fiscal year shall be allocated to a Reserve to Match Anticipated Non-State Funds. These funds shall be matched on a dollar-for-dollars basis for the Lost Colony Outdoor Drama.

Requested by: Representatives Ives, Lemmond, Holmes, Creech, Esposito, Senators Warren, Sherron, Plyler, Perdue, Odom
PUBLIC LIBRARY GRANT IN AID FUNDS

Sec. 11.6. (a) Of the funds appropriated to the Department of Cultural Resources for the 1995-96 fiscal year, the sum of two hundred eighty-four thousand dollars (\$284,000) shall not revert at the end of the fiscal year but shall remain available to the Department to be used as grants in aid to public libraries. The Department of Cultural Resources may use up to the full amount of the two hundred eighty-four thousand dollars (\$284,000) of the funds that shall not revert under this section for grants to public libraries.

(b) This section becomes effective June 30, 1996.

PART 12. DEPARTMENT OF INSURANCE

Requested by: Representatives Ives, Lemmond, Senator Warren
CONSTRUCTION CODE RECEIPTS

Sec. 12. Section 13 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 13. Departmental receipts realized by the Department of Insurance in excess of amounts approved for expenditure by the General Assembly, as adjusted by the Office of State Budget and Management to reflect the distribution of statewide reserves, shall revert to the General Fund at the end of each fiscal year. This section shall not apply to receipts realized by the Department from the sale of copies of the State construction code if the receipts are used for the purchase of copies of the code for sale to the public, except that unspent construction code receipts shall revert to the General Fund at the end of each fiscal year."

PART 13. DEPARTMENT OF SECRETARY OF STATE

Requested by: Representatives Ives, Lemmond, Senator Warren

INVESTOR PROTECTION AND EDUCATION TRUST FUND

Sec. 13. Article 4 of Chapter 147 of the General Statutes is amended by adding a new section to read:

"§ 147-54.5. Investor Protection and Education Trust Fund; administration; limitations on use of the Fund.

(a) The Investor Protection and Education Trust Fund created in the Department of the Secretary of State as an expendable trust account to be used by the Secretary of State only for the purposes set forth in this section.

(b) The proceeds of the Investor Protection and Education Trust Fund shall be used by the Secretary of State to provide investor protection and education to the general public and to potential securities investors in the State through:

- (1) The use of the media, including television and radio public service announcements and printed materials; and
- (2) The sponsorship of educational seminars, whether live, recorded, or through other electronic means.

(c) The proceeds of the Investor Protection and Education Trust Fund shall not be used for:

- (1) Travel expenses of the Secretary of State or staff of the Department of the Secretary of State, unless those expenses are directly related to specific investor protection and education activities performed in accordance with this section.
- (2) General operating expenses of the Department of the Secretary of State, or to supplement General Fund appropriations to the Department of the Secretary of State for other than investor education and protection activities.
- (3) Promoting the Secretary of State or the Department of the Secretary of State.

(d) Expenditures from the Investor Protection and Education Trust Fund shall be made in compliance with State purchasing and contracting requirements for competitive bidding in accordance with the provisions of

Article 3 of Chapter 143 of the General Statutes.

(e) Revenues derived from consent orders resulting from negotiated settlements of securities investigations by the Secretary of State shall be credited to the Fund. The State Treasurer shall invest the assets of the Fund according to law. Any interest or other investment income earned by the Investor Protection and Education Trust Fund shall remain in the Fund. The balance of the Investor Protection and Education Trust Fund at the end of each fiscal year shall not revert to the General Fund.

(f) Beginning January 1, 1997, the Department of the Secretary of State shall report annually to the General Assembly's Fiscal Research Division and to the Joint Legislative Commission on Governmental Operations on the expenditures from the Investor Protection and Education Trust Fund and on the effectiveness of investor awareness education efforts of the Department of the Secretary of State."

PART 13A. STATE BOARD OF ELECTIONS

Requested by: Representatives Ives, Lemmond, Senators Warren, Sherron
EQUIPMENT FUNDS

Sec. 13A. Notwithstanding G.S. 143-16.3, the State Board of Elections may use up to fifty thousand dollars (\$50,000) of funds available to purchase a copy machine.

PART 14. OFFICE OF STATE CONTROLLER

Requested by: Representative Creech, Senator Warren
NORTH CAROLINA INFORMATION HIGHWAY

Sec. 14. (a) The funds appropriated in this act to the Office of the State Controller for the operation of the North Carolina Information Highway shall be used only for costs incurred by the Office of the State Controller related to the operations and support of the North Carolina Information Highway. No funds appropriated in this act shall be expended to pay Minimum Monthly usage charges for North Carolina Information Highway Services.

(b) Of the funds appropriated to the Office of the State Controller for the North Carolina Information Highway (NCIH), an amount not to exceed five hundred thousand dollars (\$500,000) shall be used to expand the long distance capacity and provide for the establishment of regional hubs in each of the seven LATAS in North Carolina. The remaining funds shall be used to help defray the costs of existing NCIH sites except those located at university sites other than East Carolina University academic affairs campus. Any savings accrued shall be placed in reserve in the Office of the State Controller for consideration by the 1997 General Assembly.

(c) Beginning October 1, 1996, the State Controller shall report quarterly to the Joint Legislative Commission on Governmental Operations regarding the costs incurred by the Office of the State Controller related to the operations and support of the North Carolina Information Highway and the savings placed in reserve in the Office of the State Controller.

Requested by: Representatives Ives, Lemmond, Senators Warren, Little, Sherron

RESERVE FOR THE YEAR 2000 CONVERSION OF THE STATE'S COMPUTER SYSTEM

Sec. 14.1. The Office of the State Controller shall include in its charges for data processing services costs of converting computer applications to operate properly at the turn of the century. The Office of the State Controller shall develop procedures for managing the year 2000 conversion.

PART 15. DEPARTMENT OF REVENUE

Requested by: Senators Kerr, Sherron, Hoyle, Representatives Gray, Allred

EXPAND HOMESTEAD EXEMPTION

Sec. 15.1. (a) G.S. 105-277.1 reads as rewritten:

"§ 105-277.1. Property classified for taxation at reduced valuation.

(a) Exclusion. -- The following class of property is designated a special class of property under Article V, Sec. 2(2) of the North Carolina Constitution and shall be assessed for taxation in accordance with this section. The first ~~fifteen thousand dollars (\$15,000)~~ twenty thousand dollars (\$20,000) in appraised value of a permanent residence owned and occupied by a qualifying owner is excluded from taxation. A qualifying owner is an owner who meets all of the following requirements as of January 1 preceding the taxable year for which the benefit is claimed:

- (1) Is at least 65 years of age or totally and permanently disabled.
- (2) Has an income for the preceding calendar year of not more than ~~eleven thousand dollars (\$11,000)~~ fifteen thousand dollars (\$15,000).
- (3) Is a North Carolina resident.

An otherwise qualifying owner does not lose the benefit of this exclusion because of a temporary absence from his or her permanent residence for reasons of health, or because of an extended absence while confined to a rest home or nursing home, so long as the residence is unoccupied or occupied by the owner's spouse or other dependent.

(b) Definitions. -- When used in this section, the following definitions shall apply:

- (1) Code. -- The Internal Revenue Code, as defined in G.S. 105-228.90.

- (1a) Income. -- Adjusted gross income, as defined in section 62 of the Code, plus all other moneys received from every source other than gifts or inheritances received from a spouse, lineal ancestor, or lineal descendant. For married applicants residing with their spouses, the income of both spouses must be included, whether or not the property is in both names.
- (1b) Owner. -- A person who holds legal or equitable title, whether individually, as a tenant by the entirety, a joint tenant, or a tenant in common, or as the holder of a life estate or an estate for the life of another. A manufactured home jointly owned by husband and wife is considered property held by the entirety.
- (2) Repealed by Session Laws 1993, c. 360, s. 1.
- (2a) Repealed by Session Laws 1985 (Reg. Sess., 1986), c. 982, s. 20.
- (3) Permanent residence. -- A person's legal residence. It includes the dwelling, the dwelling site, not to exceed one acre, and related improvements. The dwelling may be a single family residence, a unit in a multi-family residential complex, or a manufactured home.
- (4) Totally and permanently disabled. -- A person is totally and permanently disabled if the person has a physical or mental impairment that substantially precludes him or her from obtaining gainful employment and appears reasonably certain to continue without substantial improvement throughout his or her life.

(c) Application. -- An application for the exclusion provided by this section should be filed during the regular listing period, but may be filed and must be accepted at any time up to and through April 15 preceding the tax year for which the exclusion is claimed. When property is owned by two or more persons other than husband and wife and one or more of them qualifies for this exclusion, each owner shall apply separately for his or her proportionate share of the exclusion.

- (1) Elderly Applicants. -- Persons 65 years of age or older may apply for this exclusion by entering the appropriate information on a form made available by the assessor under G.S. 105-282.1.
- (2) Disabled Applicants. -- Persons who are totally and permanently disabled may apply for this exclusion by (i) entering the appropriate information on a form made available by the assessor under G.S. 105-282.1 and (ii) furnishing acceptable proof of their disability. The proof shall be in the form of a certificate from a physician licensed to practice

medicine in North Carolina or from a governmental agency authorized to determine qualification for disability benefits. After a disabled applicant has qualified for this classification, he or she shall not be required to furnish an additional certificate unless the applicant's disability is reduced to the extent that the applicant could no longer be certified for the taxation at reduced valuation.

(d) Multiple Ownership. -- A permanent residence owned and occupied by husband and wife as tenants by the entirety is entitled to the full benefit of this exclusion notwithstanding that only one of them meets the age or disability requirements of this section. When a permanent residence is owned and occupied by two or more persons other than husband and wife and one or more of the owners qualifies for this exclusion, each qualifying owner is entitled to the full amount of the exclusion not to exceed his or her proportionate share of the valuation of the property. No part of an exclusion available to one co-owner may be claimed by any other co-owner and in no event may the total exclusion allowed for a permanent residence exceed ~~fifteen thousand dollars (\$15,000)~~ the exclusion amount provided in this section."

(b) G.S. 105-309(f) reads as rewritten:

"(f) The following information shall appear on each abstract or on an information sheet distributed with the abstract. The abstract or sheet must include the address and telephone number of the assessor below the notice required by this subsection. The notice shall read as follows:

**'PROPERTY TAX RELIEF FOR ELDERLY AND
PERMANENTLY DISABLED PERSONS.**

North Carolina excludes from property taxes the first ~~fifteen thousand dollars (\$15,000)~~ twenty thousand dollars (\$20,000) in appraised value of a permanent residence owned and occupied by North Carolina residents aged 65 or older or totally and permanently disabled whose income does not exceed ~~eleven thousand dollars (\$11,000)~~ fifteen thousand dollars (\$15,000). Income means the owner's adjusted gross income as determined for federal income tax purposes, plus all moneys received other than gifts or inheritances received from a spouse, lineal ancestor or lineal descendant.

If you received this exclusion in (assessor insert previous year), you do not need to apply again unless you have changed your permanent residence. If you received the exclusion in (assessor insert previous year) and your income in (assessor insert previous year) was above ~~eleven thousand dollars (\$11,000)~~ fifteen thousand dollars (\$15,000), you must notify the assessor. If you received the exclusion in (assessor insert previous year) because you were totally and permanently disabled and you are no longer totally and permanently disabled, you must notify the assessor. If the person receiving the

exclusion in (assessor insert previous year) has died, the person required by law to list the property must notify the assessor. Failure to make any of the notices required by this paragraph before April 15 will result in penalties and interest.

If you did not receive the exclusion in (assessor insert previous year) but are now eligible, you may obtain a copy of an application from the assessor. It must be filed by April 15."

(c) G.S. 105-277.1A reads as rewritten:

"§ 105-277.1A. Property classified for taxation at reduced valuation; duties of tax collectors; reimbursement of localities for portion of tax lost.

(a) On September 1, 1990, the tax collector of each county and the tax collector of each city shall furnish to the Secretary of Revenue a list containing the name and address of each person who has qualified in that year for the exemption provided in G.S. 105-277.1. The list shall also contain for each name the total amount of property exempted, the tax rate the property is subject to, and the product obtained by multiplying those two numbers by each other. The lists shall be accompanied by an affidavit attesting to the accuracy of the list and shall all be on a form prescribed by the Secretary of Revenue.

(a1) On December 1, 1997, the tax collector of each county and the tax collector of each city shall furnish to the Secretary of Revenue two lists containing the name and address of each taxpayer who has qualified in that year for the exemption provided in G.S. 105-277.1. The first list shall include those taxpayers whose income was above eleven thousand dollars (\$11,000) and the second list shall include those taxpayers whose income was eleven thousand dollars (\$11,000) or less. On the first list, the tax collector shall provide for each name the total amount of property exempted and on the second list, the tax collector shall provide for each name the amount of property above fifteen thousand dollars (\$15,000) exempted. On both lists, the tax collector shall provide the tax rate the property is subject to and the product obtained by multiplying the tax rate by the amount of property. The lists shall be accompanied by an affidavit attesting to the accuracy of the list and shall be on a form prescribed by the Secretary of Revenue.

~~(b) In addition to the list required by subsection (a) of this section, the county or city may provide a supplemental list on December 1.~~

(c) The Secretary of Revenue may, for cause, grant an extension for the submission of ~~the a~~ list required by this section.

(d) Before May 31, 1991, the Secretary of Revenue shall distribute to the county or city fifty percent (50%) of the total for the entire list provided pursuant to subsection (a) of this section of the product obtained by multiplying the tax exemption for each taxpayer times the applicable tax rate. Each year thereafter, on or before May 31, the Secretary of Revenue shall pay to each county and city that was entitled to receive a distribution under this ~~section~~ subsection in 1991 the amount it was entitled to receive in 1991.

(d1) Before May 31, 1998, the Secretary of Revenue shall distribute to the county or city fifty percent (50%) of the total for both lists provided the preceding December 1 pursuant to subsection (a1) of this section of the product obtained by multiplying the applicable tax rate times the amount listed for each taxpayer. Before May 31, 1999, the Secretary of Revenue shall pay to each county and city the amount it received under this subsection in 1998.

(e) Any funds received by any county or city pursuant to this section because the county or city was collecting taxes for another unit of government or special district shall be credited to the funds of that other unit or district in accordance with regulations issued by the Local Government Commission.

(f) In order to pay for the reimbursement under this section and the cost to the Department of Revenue of administering the reimbursement, the Secretary of Revenue shall draw from collections received under Division I of Article 4 of this Chapter an amount equal to the reimbursement and the cost of administration."

(d) This section is effective for taxes imposed for taxable years beginning on or after July 1, 1997.

Requested by: Senators Perdue, Warren, Kerr, Representatives Holmes, Creech, Esposito

FEDERAL PENSION WITHHOLDING

Sec. 15.2. Of the funds appropriated to the Department of Revenue for the 1996-97 fiscal year the sum of eighty-nine thousand seven hundred fifty dollars (\$89,750) shall be used for start-up costs for participation in the United States Office of Personnel Management's voluntary program for withholding State income tax from civil service pension benefits.

Requested by: Senator Plyler, Representatives Holmes, Creech, Esposito

MODIFY STATE PORTS TAX INCENTIVE

Sec. 15.3. (a) G.S. 105-130.41(a) reads as rewritten:

"(a) Credit. -- A taxpayer whose waterborne cargo is loaded onto or unloaded from an ocean carrier calling at the State-owned port terminal at Wilmington or Morehead City, without consideration of the terms under which the cargo is moved, is allowed a credit against the tax imposed by this Division. The amount of credit allowed is equal to the excess of the wharfage, handling (in or out), and throughput charges assessed on the cargo for the current taxable year over an amount equal to the average of the charges for the current taxable year and the two preceding taxable years. The credit applies to forest products, break-bulk cargo and container cargo, including less-than-container-load cargo, that is loaded onto or unloaded from an ocean carrier calling at either the Wilmington or Morehead City port terminal and to bulk cargo that is loaded onto or unloaded from an ocean carrier calling at the Morehead City port terminal. To obtain the credit, taxpayers must provide to

the Secretary a statement from the State Ports Authority certifying the amount of charges for which a credit is claimed and any other information required by the Secretary."

(b) G.S. 105-151.22(a) reads as rewritten:

"(a) Credit. -- A taxpayer whose waterborne cargo is loaded onto or unloaded from an ocean carrier calling at the State-owned port terminal at Wilmington or Morehead City, without consideration of the terms under which the cargo is moved, is allowed a credit against the tax imposed by this Division. The amount of credit allowed is equal to the excess of the wharfage, handling (in or out), and throughput charges assessed on the cargo for the current taxable year over an amount equal to the average of the charges for the current taxable year and the two preceding taxable years. The credit applies to forest products, break-bulk cargo and container cargo, including less-than-container-load cargo, that is loaded onto or unloaded from an ocean carrier calling at either the Wilmington or Morehead City port terminal and to bulk cargo that is loaded onto or unloaded from an ocean carrier calling at the Morehead City port terminal. To obtain the credit, taxpayers must provide to the Secretary a statement from the State Ports Authority certifying the amount of charges for which a credit is claimed and any other information required by the Secretary."

(c) This section is effective for taxable years beginning on or after January 1, 1996.

Requested by: Senator Perdue, Representative Gray

SOFT DRINK TAX ON MILK DRINKS

Sec. 15.4. (a) G.S. 105-113.46 reads as rewritten:

"§ 105-113.46. Exemptions.

The taxes imposed by this Article do not apply to an item that is listed in this section and, if the item is a bottled soft drink or a juice concentrate included in subdivision ~~(2), (3),~~ (3) or (3a), is registered with the Secretary in accordance with G.S. 105-113.47:

- ~~(1) A natural liquid milk drink produced by a farmer or a dairy.~~
- ~~(2) A bottled soft drink that contains at least thirty-five percent (35%) natural milk measured by volume and is not exempt under subdivision (1): milk.~~
- (3) Natural juice.
- (3a) Juice that would be natural if it did not contain sugar.
- (4) Natural water.
- (5) A base product used to make a bottled soft drink subject to tax under this Article.
- (6) Coffee or tea in any form.
- (7) A bottled soft drink or base product sold outside the State.
- (8) A bottled soft drink or base product sold to the federal

government.

- (9) A base product for domestic use that either contains milk or, according to directions on the base product's container, requires milk to be added to make a soft drink."

- (b) G.S. 105-113.47(a) reads as rewritten:

"(a) Requirement. -- To be exempt from the tax imposed by this Article, the following items must be registered with the Secretary as an exempt item:

- (1) ~~A bottled soft drink that contains at least thirty-five percent (35%) natural milk measured by volume and is not exempt under G.S. 105-113.46(1).~~
- (2) A natural juice bottled soft drink.
- (3) A natural juice concentrate.
- (4) A juice concentrate or juice bottled soft drink that would be natural if it did not contain sugar."

- (c) This section is effective retroactively as of October 1, 1991.

A taxpayer who paid an excise tax on a product that is exempt under this section may apply for a refund of the tax by submitting an application for refund to the Department of Revenue by January 1, 1997. A taxpayer who submits a timely application may receive a refund in an amount equal to the amount of taxes paid on the item since October 1, 1991, along with interest at the rate provided in G.S. 105-266 for refunds of overpaid taxes. If any penalties have been assessed for failure to pay this tax, these penalties shall be waived and, if the penalties have been paid, they shall be refunded to the taxpayer. The application must be in the form and contain the information required by the Secretary of Revenue.

Requested by: Senators Warren, Sherron, Representatives Ives, Lemmond
DATA PROCESSING FUNDS

Sec. 15.5. (a) Of the funds appropriated to the Department of Revenue for the 1995-96 fiscal year, the sum of two million dollars (\$2,000,000) shall not revert at the end of the fiscal year but shall remain available for expenditure to cover a deficit for the 1995-96 fiscal year of up to two million dollars (\$2,000,000) in the funds available to pay the State Information Processing System for data processing costs.

- (b) This section becomes effective June 30, 1996.

Requested by: Representatives Ives, Lemmond, Senators Warren, Sherron
ASSESS REVENUE STAFF REQUIREMENTS

Sec. 15.6. The State Budget Office, Management and Productivity Unit shall work with the Department of Revenue to assess the Department's staff requirements. Specifically, it shall determine the variety of unit costs related to workload as influenced by existing laws and resulting policies and procedures adopted by the Department of Revenue.

The State Budget Officer and the Secretary of Revenue shall make a joint final report to the House and Senate Appropriations Subcommittees on General Government by March 1, 1997, on the results of this assessment.

Requested by: Senators Plyler, Perdue, Odom, Representatives Holmes, Creech, Esposito

NC MEMORIAL HOSPITAL SALES TAX REFUNDS

Sec. 15.7. (a) G.S. 105-164.14(c) is amended by adding a new subdivision to read:

"(21) The University of North Carolina Hospitals at Chapel Hill."

(b) This section becomes effective January 1, 1997, and applies to taxes paid on or after that date.

PART 16. COLLEGES AND UNIVERSITIES

Requested by: Representatives Grady, Preston, Cummings, Senators Plexico, Winner, Little, Conder

AID TO STUDENTS ATTENDING PRIVATE COLLEGES

Sec. 16. Section 15 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 15. (a) Funds appropriated in this act to the Board of Governors of The University of North Carolina for aid to private colleges shall be disbursed in accordance with the provisions of G.S. 116-19, 116-21, and 116-22. These funds shall provide up to ~~five hundred fifty dollars (\$550.00)~~ six hundred dollars (\$600.00) per full-time equivalent North Carolina undergraduate student enrolled at a private institution as of October 1 each year.

These funds shall be placed in a separate, identifiable account in each eligible institution's budget or chart of accounts. All funds in this account shall be provided as scholarship funds for needy North Carolina students during the fiscal year. Each student awarded a scholarship from this account shall be notified of the source of the funds and of the amount of the award. Funds not utilized under G.S. 116-19 shall be for the tuition grant program as defined in subsection (b) of this section.

(b) In addition to any funds appropriated pursuant to G.S. 116-19 and in addition to all other financial assistance made available to private educational institutions located within the State, or to students attending these institutions, there is granted to each full-time North Carolina undergraduate student attending an approved institution as defined in G.S. 116-22, a sum, not to exceed ~~one thousand two hundred fifty dollars (\$1,250)~~ one thousand three hundred dollars (\$1,300) per academic year, which shall be distributed to the student as hereinafter provided.

The tuition grants provided for in this section shall be administered by the

State Education Assistance Authority pursuant to rules adopted by the State Education Assistance Authority not inconsistent with this section. The State Education Assistance Authority shall not approve any grant until it receives proper certification from an approved institution that the student applying for the grant is an eligible student. Upon receipt of the certification, the State Education Assistance Authority shall remit at such times as it shall prescribe the grant to the approved institution on behalf, and to the credit, of the student.

In the event a student on whose behalf a grant has been paid is not enrolled and carrying a minimum academic load as of the tenth classroom day following the beginning of the school term for which the grant was paid, the institution shall refund the full amount of the grant to the State Education Assistance Authority. Each approved institution shall be subject to examination by the State Auditor for the purpose of determining whether the institution has properly certified eligibility and enrollment of students and credited grants paid on the behalf of the students.

In the event there are not sufficient funds to provide each eligible student with a full grant:

- (1) The Board of Governors of The University of North Carolina, with the approval of the Office of State Budget and Management, may transfer available funds to meet the needs of the programs provided by subsections (a) and (b) of this section; and
- (2) Each eligible student shall receive a pro rata share of funds then available for the remainder of the academic year within the fiscal period covered by the current appropriation.

Any remaining funds shall revert to the General Fund.

(c) Expenditures made pursuant to this section may be used only for secular educational purposes at nonprofit institutions of higher learning. Expenditures made pursuant to this section shall not be used for any student who:

- (1) Is incarcerated in a State or federal correctional facility for committing a Class A, B, B1, or B2 felony; or
- (2) Is incarcerated in a State or federal correctional facility for committing a Class C through I felony and is not eligible for parole or release within 10 years.

(d) The State Education Assistance Authority shall document the number of full-time equivalent North Carolina undergraduate students that are enrolled in off-campus programs and the State funds collected by each institution pursuant to G.S. 116-19 for those students. The State Education Assistance Authority shall also document the number of scholarships and the amount of the scholarships that are awarded under G.S. 116-19 to students enrolled in off-campus programs. An 'off-campus program' is any program offered for degree credit away from the institution's main permanent campus.

The State Education Assistance Authority shall report to the Joint

Legislative Commission on Governmental Operations by March 1, 1997, regarding its findings."

Requested by: Representatives Grady, Preston, Senators Plexico, Winner
DISTANCE LEARNING INITIATIVES

Sec. 16.1. Of the funds appropriated by this act to The University of North Carolina Board of Governors, the sum of one million two hundred thousand dollars (\$1,200,000) in nonrecurring funds and the sum of five hundred thousand dollars (\$500,000) in recurring funds shall be allocated to North Carolina State University to furnish the Engineering Graduate Research Center and to operate distance learning programs. Engineering programs offered through this funding shall be a cooperative effort among North Carolina State University, North Carolina Agricultural and Technical State University, and the University of North Carolina at Charlotte.

An additional amount of two million two hundred fifty-five thousand dollars (\$2,255,000) appropriated by this act to the Board of Governors shall be allocated and used for distance learning and capacity enhancing alternatives, including expansion of the "2 + 2" engineering programs offered through North Carolina State University, incentives for summer school enrollments, and other initiatives planned by the Board of Governors.

Requested by: Representatives Grady, Preston, Cummings, Senators Plexico, Winner, Little, Conder

UNC EQUITY OF FUNDING

Sec. 16.2. (a) Notwithstanding G.S. 116-30.3, the five constituent institutions (Appalachian State University, East Carolina University, University of North Carolina at Charlotte, University of North Carolina at Greensboro, and University of North Carolina at Wilmington) cited in the study of equity of funding among the constituent institutions of The University of North Carolina as receiving lower than average per pupil funding in several comparisons, shall not be required to revert two percent (2%) of their General Fund appropriations for the 1996-97 fiscal year. These funds shall be used to improve areas of need that can be addressed with nonrecurring funds.

(b) Of the funds appropriated to the Board of Governors of The University of North Carolina for the 1996-97 fiscal year, the sum of two million two hundred twenty-six thousand dollars (\$2,226,000) in nonrecurring funds shall be used to assure that the total funds retained pursuant to subsection (a) of this section and the additional funds from this allocation shall provide a minimum of thirty-seven and one-half percent (37.5%) of the funding needs identified for each of the campuses cited as having funding below an equitable level in the Board of Governors' Phase I final report on "An Analysis of Funding Equity in The University of North Carolina."

Requested by: Representatives Grady, Preston, Senators Plexico, Winner
CENTER FOR THE PREVENTION OF SCHOOL VIOLENCE

Sec. 16.3. The General Assembly recommends that the Governor continue funding the Center for Prevention of School Violence from the current source of grant monies through the 1996-97 fiscal year.

Requested by: Representatives Holmes, Creech, Esposito, Grady, Preston, Cummings, Senators Plexico, Winner, Little, Conder
EVALUATE UNIVERSITY RESIDENCES FOR FIRE SAFETY AND REPORT ON ESTIMATED COST TO INSTALL ANY NEEDED FIRE DETECTION AND SAFETY EQUIPMENT

Sec. 16.4. (a) The Board of Governors of The University of North Carolina shall survey each constituent institution and the North Carolina School of Science and Mathematics regarding its campus residential facilities, potential fire hazards at those facilities, and the fire detection and safety equipment currently installed in those facilities. Each constituent institution shall indicate whether each residential facility on its campus has an adequate fire alarm system including smoke detectors and fire sprinklers, and, if not, the estimated cost to install adequate fire detection and safety equipment. The Board of Governors shall report as soon as possible to the General Assembly regarding the findings of the survey.

(b) The Board of Governors of The University of North Carolina shall begin to address fire safety needs in campus residential facilities including the North Carolina School of Science and Mathematics during the 1996-97 fiscal year. The Board of Governors shall give top priority to those fire safety needs that are determined to be the most egregious and shall address those needs first. The Board of Governors shall use available reserves in institutional housing trust funds, as well as funds allocated to the Board from the Reserve for Repairs and Renovations to comply with this section. Should the Board of Governors allocate funds from the Reserve for Repairs and Renovations for fire safety improvements in campus residential facilities not supported from the General Fund, it shall first find that sufficient funds are not available from other sources. Any such finding shall be included in the Board's submission to the Joint Legislative Commission on Governmental Operations on the proposed allocation of funds.

(c) The Board of Governors of The University of North Carolina shall include in its budget requests for the 1997-99 biennium the estimated amount needed to address any remaining fire safety needs of the residential facilities located on its campuses including the North Carolina School of Science and Mathematics.

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

FACILITATE FINANCING OF FIRE WARNING AND SUPPLEMENTAL FIRE PROTECTION SYSTEMS IN STUDENT HOUSING

Sec. 16.5. (a) Article 1 of Chapter 116 of the General Statutes is amended by adding a new Part to read:

"Part 7. Fire Safety.

"§ 116-44.6. Definitions.

Unless the context clearly requires another meaning, the following definitions apply in this Part:

- (1) Fraternity or sorority. -- A social, professional, or educational incorporated organization that, by official recognition, is affiliated or identified with a public or nonpublic institution of higher education in this State and which maintains a living facility that provides accommodations for five or more students enrolled at the recognition-granting institution of higher education.
- (2) Fund. -- The Fire Safety Loan Fund authorized by this Part.
- (3) Living facility. -- A sleeping facility capable of overnight accommodation and other capabilities which support continuous occupancy.
- (4) Residence hall. -- A living facility maintained by a public or nonpublic institution of higher education in North Carolina or by the North Carolina School of Science and Mathematics for use by enrolled students.
- (5) Supplemental fire safety protection system. -- A water system capability which is sized to accommodate the added water supply pressure and volume required for building fire protection.
- (6) Water system. --
 - a. A city, county, or sanitary district; or
 - b. A water and sewer authority, a metropolitan water district, or county water and sewer district, established pursuant to Chapter 162A of the General Statutes.

"§ 116-44.7. Exemption from certain fees and charges.

No water system serving a residence hall or fraternity or sorority housing shall levy or collect any water-meter fee, water-hydrant fee, tap fee, or similar service fee on a residence hall or fraternity or sorority house with respect to supporting a supplemental fire safety protection system in excess of the actual cost to the water system to support the fire safety protection system.

"§ 116-44.8. Fire Safety Loan Fund.

(a) There is established the Fire Safety Loan Fund. The Fund shall be a revolving loan fund for installing fire safety equipment and systems in fraternity and sorority housing.

(b) The Fund shall be administered by the Office of the State Treasurer, and that office may establish the policies and procedures that it deems appropriate for the operation of the Fund. The Office of the State Treasurer may enlist the assistance of other State departments or entities which have expertise that would be useful in administering the Fund, and those State departments or entities shall provide the assistance requested.

(c) The Fund shall be operated on a revolving basis with proceeds from the repayment of prior loans being made available for subsequent loans.

(d) Loans from the Fund shall be secured by a first or second mortgage or other pledge. Loans shall be made for a period not to exceed 10 years. Interest shall not be charged on loans from the Fund."

(b) Of the funds allocated by this act to the Board of Governors of The University of North Carolina from the Reserve for Repairs and Renovations, the sum of one million two hundred sixty-three thousand eight hundred three dollars (\$1,263,803) for the 1996-97 fiscal year shall be used to add central fire alarm and warning systems to residence halls at the constituent institutions of The University and at the North Carolina School of Science and Mathematics that are not currently so equipped. The central alarm and warning systems to be installed shall be interconnected with a supervisory campuswide system of reporting into a station that is continuously monitored.

(c) Of the funds appropriated to the Office of the State Treasurer, the sum of one million dollars (\$1,000,000) for the 1996-97 fiscal year shall be used for the purpose of establishing the Fire Safety Loan Fund for installing fire safety equipment and systems in fraternity and sorority housing at public and nonpublic institutions of higher education located in North Carolina as authorized by G.S. 116-44.8.

(d) Subsection (a) of this section is effective upon ratification.

Requested by: Senators Perdue, Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

REPORT ON SERVICES PROVIDED BY FACULTY AND STUDENT ADVISORS

Sec. 16.6. The Board of Governors of The University of North Carolina shall report to the Joint Legislative Education Oversight Committee prior to January 2, 1997, on the implementation by each constituent institution of the recommendations included in the report on "Academic Advising in the University of North Carolina." The report shall include the following information collected from each constituent institution: (i) the progress of the institution's initiative to improve advising, (ii) the results of the senior survey referenced in the report on "Academic Advising in the University of North Carolina", and (iii) the plans of each constituent institution to address specifically any item of student dissatisfaction on the senior survey that had

a score of dissatisfaction above thirty-three percent (33%).

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings, McMahan

PARENTAL SAVINGS TRUST FUND

Sec. 16.7. Article 23 of Chapter 116 of the General Statutes is amended by adding a new section to read:

"§ 116-209.25. Parental Savings Trust Fund.

(a) Policy. -- The General Assembly of North Carolina hereby finds and declares that encouraging parents and other interested parties to save for the postsecondary education expenses of eligible students is fully consistent with and furthers the long-established policy of the State to encourage, promote, and assist education as more fully set forth in G.S. 116-201(a).

(b) Parental Savings Trust Fund. -- There is established a parental savings trust fund to be administered by the State Education Assistance Authority to enable qualified parents to save funds to meet the costs of the postsecondary education expenses of eligible students.

(c) Contributions to the Trust Fund. -- The Authority is authorized to accept, hold, and disburse contributions, and interest earned on such contributions, from qualified parents and other interested parties in the Parental Savings Trust Fund. The contributions to the Parental Savings Trust Fund shall be held by the Authority in a separate institutional trust fund and, as such, contributions to the trust fund shall be invested by the State Treasurer as authorized in G.S. 147-69.2(b)(1) through (6) and the applicable provisions of G.S. 147-69.3. The contributions to the Parental Savings Trust Fund shall not be considered State moneys, assets of the State, or State revenue for any purpose.

(d) Administration of the Trust Fund. -- The Authority is authorized to develop and perform all functions necessary and desirable to administer the Parental Savings Trust Fund and to provide such other services as the Authority shall deem necessary to facilitate participation in the Parental Savings Trust Fund.

(e) Loan Program. -- The Authority is authorized to develop and administer a loan program in conjunction with the Parental Savings Trust Fund to provide loan assistance to qualified parents and interested parties in order to facilitate the postsecondary education of eligible students. All funds appropriated to, or otherwise received by the Authority for loans under this section, all funds received as repayment of such loans, and all interest earned on these funds shall be placed in an institutional trust fund. This institutional trust fund may be used only for loans made to qualified parents and interested parties who contributed to the Parental Savings Trust Fund and administrative costs associated with the recovery of funds advanced under this loan program."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plexico, Winner

SUPERCOMPUTER AND THE RESEARCH AND EDUCATION NETWORK/BOARD OF GOVERNORS TO MAINTAIN FUNDS

Sec. 16.8. The Board of Governors of The University of North Carolina shall maintain the funds transferred by this act for the purchase of the Supercomputer and the Research and Education Network in a central identifiable budget purpose.

Requested by: Senators Plyler, Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

AGRICULTURE RESEARCH FUNDS

Sec. 16.9. Of the funds appropriated to the Board of Governors of The University of North Carolina for the 1996-97 fiscal year the following sums shall be allocated as follows:

- (1) The sum of \$1,000,000 in nonrecurring funds shall be allocated for research efforts focused upon eradicating diseases in the State's turkey population. Any of these funds remaining at the end of the 1996-97 fiscal year shall not revert but shall remain available for use pursuant to this section.
- (2) The sum of \$90,000 in nonrecurring funds shall be allocated to enhance fish hatcheries research and production.
- (3) The sum of \$250,000 in nonrecurring funds shall be allocated for turfgrass research.

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

UNC FUNDING FOR NEW ENROLLMENT POLICY CHANGE

Sec. 16.10. In requesting funds for additional students, the Board of Governors of The University of North Carolina shall revise its methodology to ensure sufficient funding for support services needed due to enrollment growth. The policy change shall be implemented for the 1996-97 fiscal year and each fiscal year thereafter. Funds are provided in this act to implement this policy change for the 1996-97 fiscal year.

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

ACADEMIC ENHANCEMENT FUNDS

Sec. 16.11. Of the funds appropriated to The University of North Carolina Board of Governors, the sum of seventeen million eight hundred thousand dollars (\$17,800,000) shall be allocated to constituent institutions classified as Research University I campuses in direct proportion to the funds to be raised on each campus for the 1996-97 fiscal year from the tuition

increases authorized under Section 15.15 of Chapter 507 of the 1995 Session Laws.

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

COMPREHENSIVE PLAN FOR HIGHER EDUCATION ENROLLMENT

Sec. 16.12. Subsection (a) of Section 15.12 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"(a) The Education Cabinet shall develop a comprehensive plan to meet the projected increase in higher education enrollments that result from the increased number of high school graduates and nontraditional students needing worker retraining. The plan shall address questions of capacity and potential increases in space utilization. The plan shall also consider several funding strategies to encourage more balanced enrollment, such as funding additional credit hours above current levels for summer school and for off-campus degree programs, and incentive funding for private colleges to enroll more North Carolina residents. The Education Cabinet shall consider the capacity of the physical facilities of the private colleges and universities in developing its plan for additional incentives for private colleges.

The Education Cabinet shall also coordinate the planning efforts of the Board of Governors of The University of North Carolina, the Department of Community Colleges, and the North Carolina Association of Private and Independent Colleges and Universities to meet the projected increase in higher education enrollments.

A representative from the North Carolina Association of Private and Independent Colleges and Universities shall participate in the deliberations and decision-making of the Education Cabinet in accordance with G.S. 116C-1. The Board of Governors and the Department of Community Colleges shall provide staff assistance to the Education Cabinet in the development of the comprehensive plan. The Education Cabinet shall estimate the fiscal impact of all alternatives and proposals for dealing with the projected enrollment.

The Education Cabinet shall make a preliminary report on the comprehensive plan to the Joint Education Oversight Committee by April 15, 1996, and shall submit a final report to the Committee by November 15, 1996."

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

HEALTH INSURANCE FOR GRADUATE ASSISTANTS

Sec. 16.13. Notwithstanding any other provision of law, a special responsibility constituent institution of The University of North Carolina may use the funding flexibility granted to it to provide health insurance for graduate

assistants from funds carried forward to the next fiscal year pursuant to G.S. 116-30.3.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

UNIVERSITY OF NORTH CAROLINA SYSTEM -- FUNDS TO REWARD EXCELLENCE IN TEACHING

Sec. 16.14. Effective September 1, 1996, the Board of Governors of The University of North Carolina shall develop policies for the distribution of an average one-half percent (1/2%) salary increase for teaching faculty members, to be given to those who have demonstrated excellence in teaching, except that the policies shall not apply to teaching faculty members at the University of North Carolina at Chapel Hill or at North Carolina State University.

PART 17. COMMUNITY COLLEGES

Requested by: Representatives Russell, Grady, Preston, Senators Plexico, Winner

COMPUTATION OF FTE FOR COURSES TAUGHT IN PRISONS

Sec. 17. Community colleges shall compute full-time equivalent (FTE) student hours on the bases of both contact hours and student membership hours for curriculum education programs that are taught in prison facilities and that are offered in compliance with the State Board of Community College's correctional course offering matrix. The State Board of Community Colleges shall report both counts to the General Assembly by January 15, 1997.

The 1997 General Assembly shall consider the question of whether to compute FTE for these courses on the basis of contact hours or on the basis of student membership hours.

Requested by: Representatives Russell, Grady, Preston, Cummings, Senators Perdue, Plexico, Winner, Little, Conder

IN-STATE TUITION FOR FAMILIES TRANSFERRED INTO STATE

Sec. 17.1. (a) G.S. 115D-39 reads as rewritten:

"§ 115D-39. Student tuition and fees.

The State Board of Community Colleges shall fix and regulate all tuition and fees charged to students for applying to or attending any institution pursuant to this Chapter.

The receipts from all student tuition and fees, other than student activity fees, shall be State funds and shall be deposited as provided by regulations of the State Board of Community Colleges.

The legal resident limitation with respect to tuition, set forth in G.S. 116-

143.1 and G.S. 116-143.3, shall apply to students attending institutions operating pursuant to this Chapter; provided, however, that when an employer other than the armed services, as that term is defined in G.S. 116-143.3, pays tuition for an employee to attend an institution operating pursuant to this Chapter and when the employee works at a North Carolina business location, the employer shall be charged the in-State tuition ~~rate: rate: provided further, however, a community college may charge in-State tuition to up to one percent (1%) of its out-of-state students, rounded up to the next whole number, to accommodate the families transferred by business, the families transferred by industry, or the civilian families transferred by the military, consistent with the provisions of G.S. 116-143.3, into the State.~~ Notwithstanding these requirements, a refugee who lawfully entered the United States and who is living in this State shall be deemed to qualify as a domiciliary of this State under G.S. 116-143.1(a)(1) and as a State resident for community college tuition purposes as defined in G.S. 116-143.1(a)(2)."

(b) The State Board of Community Colleges shall adopt rules to implement this section, effective for the fall 1996 quarter.

Requested by: Representatives Grady, Preston, Senators Plexico, Winner
ELIMINATION OF BARRIERS AMONG PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND UNIVERSITIES/STUDY

Sec. 17.2. (a) The Education Cabinet shall study ways to eliminate barriers to cooperation among public schools, community colleges, and universities in the area of distance learning. The Education Cabinet shall develop a plan for sharing registration, credit hours, funding for full-time equivalent students (FTE), counseling and financial aid services, tuition receipts, and administrative responsibilities, and shall report to the General Assembly prior to January 31, 1997, on the plan it develops. The report shall include a list of any statutory or rule changes that are necessary prior to implementation of the plan and an explanation of why each change is necessary and appropriate.

(b) The State Board of Community Colleges shall examine ways to encourage pilot projects for higher education two plus two programs while continuing to recognize the community college system's statutory role as primary lead agency for providing vocational and technical job training programs.

Requested by: Representatives Grady, Preston, McMahan, Senators Plexico, Winner

COMMUNITY COLLEGES FUNDING FORMULAS/STUDY

Sec. 17.3. The State Board of Community Colleges shall undertake a comprehensive study of the funding formula used to distribute funds to local community colleges and shall make any recommendations for changes to the

General Assembly by January 31, 1997. The study shall include, but not be limited to, the development of a plan to increase the level of funding for occupational extension courses to the funding level for curriculum courses and the cost of such a plan. In developing the plan, the State Board shall consider whether one or more colleges receive a disproportionate share of the occupational extension formula funds, the appropriateness of such a distribution, and any recommendations for changes in that distribution. The State Board of Community Colleges shall use Board Reserve funds to hire an outside, independent consultant to study the funding formula.

Requested by: Representatives Grady, Preston, Senators Plexico, Winner
EXPENDITURE FOR NEW AND EXPANDING INDUSTRY/REPORT

Sec. 17.4. G.S. 115D-5 is amended by adding a new subsection to read:

"(i) The State Board of Community Colleges shall report to the Joint Legislative Education Oversight Committee on March 1 and September 1 of each year on expenditures for the New and Expanding Industry Program each fiscal year. The report shall include, for each company or individual that receives funds for New and Expanding Industry:

- (1) The total amount of funds received by the company or individual;
- (2) The amount of funds per trainee received by the company or individual;
- (3) The amount of funds received per trainee by the community college training the trainee;
- (4) The number of trainees trained by company and by community college; and
- (5) The number of years the companies or individuals have been funded.

The September 1, 1996, report shall include this information for the prior three fiscal years."

Requested by: Representatives Grady, Preston, Senators Winner, Plexico, Odom

UNIFORM MEDICAL HISTORY FORM/POSTSECONDARY INSTITUTIONS

Sec. 17.5. The State Board of Community Colleges and the Board of Governors of The University of North Carolina shall adopt a uniform student medical history form for use by all institutions in the North Carolina Community College System and by all of the constituent institutions of The University of North Carolina. This form shall be used for all new students enrolling after July 1, 1997, who are required to submit health forms.

The State Board of Community Colleges and the Board of

Governors of The University of North Carolina shall report to the Joint Legislative Education Oversight Committee by December 15, 1996, on their progress in implementing the provisions of this section.

Requested by: Representatives Grady, Preston, Senators Plexico, Winner

DEPARTMENT OF COMMUNITY COLLEGES/BUDGET REALIGNMENT

Sec. 17.6. (a) The Department of Community Colleges may realign its budget in accordance with the departmental reorganization plan adopted by the State Board of Community Colleges, which is in place June 1, 1996.

(b) The Department of Community Colleges shall prepare a response to the State Auditor's Performance Audit Report of April 1996, on the concern raised about the creation of the new Division of System Affairs and on what steps it has taken to address the issue raised with regard to this Division. The Department shall present its response to the Senate and House Appropriations Subcommittees on Education prior to February 15, 1997.

Requested by: Representatives Grady, Preston, Cummings, Senators Plexico, Winner, Conder, Little

CLARIFICATION OF FUND USE

Sec. 17.7. (a) G.S. 115D-5 is amended by adding a new subsection to read:

"(i) The State Board of Community Colleges shall use its Board Reserve Fund for feasibility studies, pilot projects, start-up of new programs, and innovative ideas. The State Board shall report to the Joint Legislative Education Oversight Committee on expenditures from the State Board Reserve Fund on January 15 and June 15 each year."

(b) Of the funds appropriated for the 1996-97 fiscal year to the Department of Community Colleges, two hundred thousand dollars (\$200,000) shall be used for start-up costs at the newest Hosiery Technology Center program created in 1995-96 and two hundred thousand dollars (\$200,000) shall be used for start-up costs for new community college programs serving the recently constructed Pasquotank Correctional Institution.

Requested by: Representatives Grady, Preston, Senators Plexico, Winner, Little

INFORMATION HIGHWAY SITES/COMMUNITY ACCESS

Sec. 17.8. It is the policy of the State to make all North Carolina Information Highway sites available to all public agencies for public use. The Education Cabinet shall adopt guidelines for ensuring public access to the university, community colleges, and public school information highway sites, and shall report these guidelines to the Joint Legislative Education Oversight Committee by January 2, 1997.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

FUNDS TO REWARD EXCELLENCE IN COMMUNITY COLLEGE TEACHING

Sec. 17.9. Effective September 1, 1996, the State Board of Community Colleges shall develop policies for the distribution of an average one-half percent (1/2%) salary increase for teaching faculty members to be given to those who have demonstrated excellence in teaching.

PART 18. PUBLIC SCHOOLS

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

EXCEPTIONAL CHILDREN FUNDS

Sec. 18.1. The funds appropriated for exceptional children in this act shall be allocated as follows:

- (1) Each local school administrative unit shall receive for academically gifted children the sum of \$686.38 per child for four percent (4.0%) of the 1995-96 actual average daily membership in the local school administrative unit, regardless of the number of children identified as academically gifted in the local school administrative unit. The total number of children for which funds shall be allocated pursuant to this subdivision is 47,038 for the 1996-97 school year.
- (2) Each local school administrative unit shall receive for exceptional children other than academically gifted children the sum of \$2,059.14 per child for the lesser of (i) all children who are identified as exceptional children other than academically gifted children or (ii) twelve and five-tenths percent (12.5%) of the 1995-96 actual average daily membership in the local school administrative unit. The maximum number of children for which funds shall be allocated pursuant to this subdivision is 137,449 for the 1996-97 school year.

The dollar amounts allocated under this subsection for exceptional children shall also increase in accordance with legislative salary increments for personnel who serve exceptional children.

Requested by: Representatives Grady, Preston, Cummings, Senators, Plexico, Winner, Little, Conder

SUPPLEMENTAL FUNDING IN LOW-WEALTH COUNTIES/SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING

Sec. 18.2. (a) Funds for supplemental funding. -- The General Assembly finds that it is appropriate to provide supplemental funds in low-wealth counties to allow those counties to enhance the instructional program and student achievement; therefore, of the funds appropriated to Aid to Local School Administrative Units, the sum of forty-six million four hundred eighty-three thousand eight hundred nine dollars (\$46,483,809) for the 1996-97 fiscal year shall be used for supplemental funds for schools. These funds shall be allocated and administered as provided in Section 17.1 of Chapter 507 of the 1995 Session Laws.

(b) Funds for small school systems. -- The State Board of Education shall allocate and administer funds appropriated for small school system supplemental funding as provided in Section 17.2 of Chapter 507 of the 1995 Session Laws.

(c) Reports. -- The State Board of Education shall report to the Appropriations Committees of the Senate and the House of Representatives prior to May 1, 1996, on whether counties supplanted local funds with the funds received pursuant to this section.

Requested by: Representatives Grady, Preston, Senators Winner, Plexico
FUNDS TO REDUCE CLASS SIZE IN GRADE 2

Sec. 18.3. The funds appropriated in this act to reduce class size in second grade shall be allocated by the State Board of Education to local school administrative units on the basis of one teacher for every 23 students in second grade. Local school administrative units shall use these funds (i) to reduce class size in second grade to 23 or fewer students or (ii) to hire reading teachers within kindergarten through third grade or otherwise reduce the student-teacher ratio within kindergarten through third grade.

For the purpose of calculating the maximum allowable class size for second grade, the ratio of teachers to students shall be 1 to 26.

Requested by: Representatives Grady, Preston, Senators Perdue, Plexico, Winner

SUBSTITUTE PAY FOR TEACHER ASSISTANTS

Sec. 18.4. G.S. 115C-12(8) reads as rewritten:

"(8) Power to Make Provisions for Sick Leave and for Substitute Teachers. -- The Board shall provide for sick leave with pay for all public school employees in accordance with the provisions of this Chapter and shall promulgate rules and regulations providing for necessary substitutes on account of sick leave and other teacher absences.

The pay for a substitute shall be fixed by the Board. If a teacher assistant assigned to a classroom in kindergarten through third grade acts as a substitute teacher for that

~~classroom, teacher,~~ the salary of the teacher assistant for the day shall be the same as the daily salary of an entry-level teacher with an "A" certificate.

The Board may provide to each local school administrative unit not exceeding one percent (1%) of the cost of instructional services for the purpose of providing substitute teachers for those on sick leave as authorized by law or by regulations of the Board, but not exceeding the provisions made for other State employees."

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

EXEMPTIONS FROM THE COMPUTER SKILLS TEST

Sec. 18.5. The State Board of Education may exempt a school from the implementation of the computer skills test if the school does not have adequate computer resources to instruct students in computer skills or to administer the test.

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

MINIMUM VACATION LEAVE FOR BUS DRIVERS

Sec. 18.6. Notwithstanding any other provision of law, all school bus drivers, who have been employed for at least one academic year and who are not entitled to more than one day of paid vacation leave, are entitled to one day of paid vacation leave in each subsequent school year.

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

SCHOOL PAY DATE FLEXIBILITY PILOT PROGRAM

Sec. 18.8. The State Board of Education may establish a pilot program to grant no more than four local boards of education additional flexibility in setting the pay dates for their 10-month employees. Notwithstanding the provisions of G.S. 115C-302(a) and G.S. 115C-316(a), local school administrative units participating in the pilot may pay 10-month employees for a full month of employment when days employed are less than a full month at the beginning or the end of the teachers' contract. No local school administrative unit shall be required to participate in the pilot. A local board participating in the pilot shall bear all of the cost of recouping funds prepaid for work never done and the cost of these funds that cannot be recouped.

The State Board of Education shall report to the Joint Legislative Education Oversight Committee on the pilot program prior to September 1, 1998.

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

FUNDS FOR NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

Sec. 18.9. Section 17.11 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 17.11. The National Board for Professional Teaching Standards (NBPTS) was established in 1987 as an independent, nonprofit organization to establish high standards for teachers' knowledge and performance and for development and operation of a national voluntary system to assess and certify teachers who meet those standards. In order to apply for the NBPTS certification process, teachers must have three years or more of teaching experience, be currently teaching, have graduated from an accredited college or university, and hold a valid State teaching license. Upon successful completion of a year-long process of developing a portfolio of student work and videotapes of teaching/learning activities for NBPTS review and then participating in NBPTS assessment center simulation exercises, including performance-based activities and a content knowledge examination, teachers may become NBPTS-certified.

Of the funds appropriated to the Department of Public Instruction in this act, the sum of:

- (1) Two hundred thirty thousand seven hundred seventy- six dollars (\$230,776) for the 1995-96 fiscal year and nine hundred thirty-six thousand five hundred seven dollars (\$936,507) for the 1996-97 fiscal year shall be used to pay for the National Board for Professional Teaching Standards (NBPTS) participation fee and for up to three days of approved paid leave for teachers participating in the NBPTS program during the 1995-96 school year and the 1996-97 fiscal year for State-paid teachers who (i) have completed three years of teaching in North Carolina schools operated by local boards of education, the Department of Human Resources, the Department of Correction, or The University of North

Carolina, or affiliated with The University of North Carolina, prior to application for NBPTS certification, and (ii) who have not previously received State funds for participating in any certification area in the NBPTS program. Teachers participating in the program shall take paid leave only with the approval of their supervisors.

A teacher for whom the State pays the participation fee (i) who does not complete the process or (ii) who completes the

process but does not teach in a North Carolina public school for at least one year after completing the process, shall repay the certification fee to the State. Repayment is not required if the process is not completed or the teacher fails to teach for one year due to the death or disability of the teacher or other extenuating circumstances as may be recognized by the State Board.

- (2) Two hundred forty-five thousand five hundred eighty-two dollars (\$245,582) for the 1995-96 fiscal year and two hundred forty-three thousand eighty-seven dollars (\$243,087) for the 1996-97 fiscal year shall be used for an annual bonus of four percent (4%) of the teacher's State-paid salary for the 10-month school year for State-paid teachers who (i) completed three years of teaching in North Carolina schools operated by local boards of education, the Department of Human Resources, the Department of Correction, or The University of North Carolina prior to application for NBPTS certification and (ii) received NBPTS certification. The bonus for each fiscal year shall be paid at the end of each full school year that the teacher teaches full time in a North Carolina school operated by local boards of education, the Department of Human Resources, the Department of Correction, or The University of North Carolina. Teachers shall continue this bonus only as long as they retain NBPTS certification."

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

ADDITIONAL EDUCATIONAL AND CAREER OPPORTUNITIES FOR TEACHER ASSISTANTS

Sec. 18.10. G.S. 115C-468 reads as rewritten:

"§ 115C-468. Establishment of fund.

(a) There is established a revolving fund known as the 'Scholarship Loan Fund for Prospective Teachers'.

(b) Criteria for awarding scholarship loans from the fund shall include measures of academic performance including grade point averages, scores on standardized tests, class rank, and recommendations of guidance counselors and principals. To the extent practical, an equal number of scholarships shall be awarded in each of the State's Congressional Districts.

(c) The Superintendent of Public Instruction may earmark up to twenty percent (20%) of the funds available for scholarship loans each year for awards to applicants who have been employed for at least one year as teacher assistants and who are currently employed as teacher assistants. Preference for these scholarship loans from funds earmarked for teacher assistants shall be

given first to applicants who worked as teacher assistants for at least five years and whose positions as teacher assistants were abolished and then to applicants who already hold a baccalaureate degree or who have already been formally admitted to an approved teacher education program in North Carolina. The criteria for awarding scholarship loans to applicants who worked as teacher assistants for at least five years and whose positions as teacher assistants were abolished shall include whether the teacher assistant has been admitted to an approved teacher education program in North Carolina.

The Superintendent of Public Instruction may further earmark a portion of these funds each year for two-year awards to applicants who have been employed for at least one year as teacher assistants to attend community colleges to get other skills of use in public schools or to get an early childhood associate degree. The provisions of this Article shall apply to these scholarship loans except that a recipient of one of these scholarship loans may receive credit upon the amount due by reason of the loan as provided in G.S. 115C-471(5) or by working in a nonteaching position in the North Carolina public schools or by working in a licensed day care center in North Carolina."

Requested by: Representatives Preston, Grady, Senators Winner, Plexico

PROFESSIONAL TEACHING STANDARDS COMMISSION

Sec. 18.12. (a) G.S. 115C-295.1 reads as rewritten:

"§ 115C-295.1. North Carolina Professional Teaching Standards Commission.

(a) There is created the North Carolina Professional Teaching Standards Commission (the 'Commission'). The Commission shall be located administratively ~~within the Department of Public Instruction under the State Board of Education~~ but shall exercise its powers and duties independently of the ~~Department of Public Instruction. The Department of Public Instruction shall provide staff, offices, office equipment, and meeting space to the Commission.~~ State Board of Education.

(b) The purpose of the Commission is to establish high standards for North Carolina teachers and the teaching profession.

(c) ~~The~~ Beginning September 1, 1996, the Commission shall consist of the following ~~18 members:~~

- (1) ~~The State Superintendent of Public Instruction who shall serve as chair of the Commission.~~
- (2) ~~A representative of the North Carolina Association of Educators appointed by the Governor.~~
- (3) ~~A representative of the North Carolina Federation of Teachers appointed by the Governor.~~
- (4) ~~Three teachers, at least one of whom teaches in elementary school and one of whom teaches special education, appointed by the Governor.~~

- (5) ~~Two teachers, at least one of whom teaches in middle or junior high school, appointed by the President Pro Tempore of the Senate.~~
- (6) ~~Two teachers, at least one of whom teaches in high school, appointed by the Speaker of the House of Representatives.~~
- (7) ~~One school administrator, either a principal or a superintendent, appointed by the Governor.~~
- (8) ~~Two representatives of teacher education institutions, one of whom shall be a representative of a University of North Carolina institution and one of whom shall be a representative of a private teacher education institution, appointed by the Governor.~~
- (9) ~~One State Board member appointed by the chair of the State Board of Education.~~
- (10) ~~Two at-large members appointed by the Governor.~~
- (11) ~~Two at-large members, one of these members shall be appointed by the President Pro Tempore of the Senate, and one of these members shall be appointed by the Speaker of the House of Representatives.~~

16 members:

- (1) The Governor shall appoint four teachers from a list of names, including the State Teacher of the Year, submitted by the State Board of Education; one principal; one superintendent; and two representatives of schools of education, one of which is in a constituent institution of The University of North Carolina and one of which is in a private college or university.
- (2) The President Pro Tempore of the Senate shall appoint three teachers who have different areas of expertise or who teach at different grade levels; and one at-large member.
- (3) The Speaker of the House of Representatives shall appoint three teachers who have different areas of expertise or who teach at different grade levels; and one at-large member.

In making appointments, the appointing authorities are encouraged to select qualified citizens who are committed to improving the teaching profession and student achievement and who represent the racial, geographic, and gender diversity of the State. Before their appointment to this Commission, with the exception of the at-large members, the members must have been actively engaged in the profession of teaching, in the education of students in teacher education programs, or in the practice of public school administration for at least three years, at least two of which occurred in this State. The members shall serve for two-year terms. Initial terms shall begin September 1, 1994. Vacancies in the membership shall be filled by the original appointing authority using the same criteria as provided in this subsection.

(d) The Commission shall elect a ~~vice-chair~~ chair, a vice-chair, and a secretary-treasurer from among its membership. In the absence of the chair, the vice-chair shall preside over the Commission's meetings. All members are voting members, and a majority of the Commission constitutes a quorum. The Commission shall adopt rules to govern its proceedings.

(e) Meetings of the Commission shall be held upon the call of the chair or the vice-chair with the approval of the chair.

(f) Members of the Commission ~~who are State or public school employees shall receive travel expenses as set forth in G.S. 138-6. All other Commission members shall receive per diem and travel expenses as set forth in G.S. 138-5. shall receive compensation for their services and reimbursement for expenses incurred in the performance of their duties required by this Article, at the rate prescribed in G.S. 90B-5.~~

(g) The Commission may employ, subject to Chapter 126 of the General Statutes, the necessary personnel for the performance of its functions, and fix compensation within the limits of funds available to the Commission."

(b) Article 20 of Chapter 115C of the General Statutes is amended by adding the following new sections to read:

"§ 115C-295.2. Powers and duties of the Commission.

(a) The North Carolina Teaching Standards Commission shall:

(1) Develop and recommend to the State Board of Education professional standards or revisions to professional standards for North Carolina teachers.

(2) Review the areas of teacher certification and recommend to the State Board of Education those areas that should be consolidated, redesigned, eliminated, or enhanced.

(3) Consider current methods to assess teachers and teaching candidates, including the National Teacher Exam, the assessments of the National Board for Professional Teaching Standards, and alternative methods of assessment and recommend to the State Board of Education the implementation of rigorous and appropriate assessments for initial and continuing certification that are valid and reliable measures of professional practice.

(4) Evaluate, develop, and recommend to the State Board a procedure for the assessment and recommendation of candidates for initial and continuing teacher certification.

For purposes of this subsection, the areas of teacher certification include initial certification, continuing certification, and certification renewal, and do not include teacher education programs.

(b) The Commission shall submit its recommendations under subsection (a) of this section to the State Board. The State Board shall adopt or reject the recommendations. The State Board shall not make any substantive changes

to any recommendation that it adopts. If the State Board rejects the recommendation, it shall state with specificity its reasons for rejection; the Commission then may amend that recommendation and resubmit it to the State Board. The Board shall adopt or reject the amended recommendation. If the State Board fails to adopt the Commission's original and amended recommendation concerning the implementation of assessments for certification and the procedure for the assessment and recommendation of candidates for teacher certification, the State Board may develop and adopt its own plan.

(c) The Commission shall submit an annual report by December 1 of each year to the Joint Legislative Education Oversight Committee and the State Board of Education of its activities during the preceding year, together with any recommendations and findings regarding improvement of the teaching profession. The State Board shall submit a report by April 15, 1998, to the Joint Legislative Education Oversight Committee on the current status of assessments for certification and any changes to the procedures for assessment and recommendation of candidates for teacher certification.

"§ 115C-295.3. Professional Practices Board.

The State Board of Education shall establish a Professional Practices Board composed of teachers, school administrators, and representatives of the general public. The Professional Practices Board shall:

- (1) Develop a code of ethics for the teaching profession and develop procedures to investigate violations of the code.
- (2) Investigate complaints concerning violations of the code of ethics.
- (3) Make recommendations to the State Board of Education concerning the revocation and suspension of teacher certificates as the result of an ethics violation.

The Professional Practices Board shall recommend the code of ethics and the investigation procedures that it develops to the State Board of Education for its approval. The State Board of Education is the final authority in all decisions under this section, except as provided in the procedures concerning the due process rights of any person subject to an investigation under this section. The State Board of Education shall adopt rules necessary to implement this section."

Requested by: Representatives Holmes, Creech, Esposito, Senators Winner, Plexico

ALLOCATION OF FUNDS FOR SCHOOL TECHNOLOGY

Sec. 18.13. Funds appropriated in this act to the State School Technology Fund shall be allocated to local school administrative units on the basis of average daily membership.

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

TEACHER VACATION LEAVE FOR ADOPTIVE PARENTS

Sec. 18.13A. G.S. 115C-302(f) reads as rewritten:

"(f) A teacher may use annual leave, personal leave, or leave without pay to care for a newborn child or for a child placed with the teacher for adoption or foster care. The leave may be for consecutive workdays during the first 12 months after the date of birth or placement of the child, unless the teacher and local board of education agree otherwise.

~~The total of all such leave time shall be no more than 12 weeks."~~

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

COMPONENTS OF THE TESTING PROGRAM

Sec. 18.14. G.S. 115C-174.11(b) reads as rewritten:

"(b) Competency Testing Program.

- (1) The State Board of Education shall adopt tests or other measurement devices which may be used to assure that graduates of the public high schools and graduates of nonpublic schools supervised by the State Board of Education pursuant to the provisions of Part 1 of Article 39 of this Chapter possess the skills and knowledge necessary to function independently and successfully in assuming the responsibilities of citizenship.
- (2) The tests shall be administered annually to all tenth grade students in the public schools. Students who fail to attain the required minimum standard for graduation in the tenth grade shall be given remedial instruction and additional opportunities to take the test up to and including the last month of the twelfth grade. Students who fail to pass parts of the test shall be retested on only those parts they fail. Students in the tenth grade who are enrolled in special education programs or who have been officially designated as eligible for participation in such programs may be excluded from the testing programs.
- (3) The State Board of Education may develop and validate alternate means and standards for demonstrating minimum competence. These standards, which must be more difficult than the tests adopted pursuant to subdivision (1) of this subsection, may be passed by students in lieu of the testing requirement of subdivision (2) of this subsection.
- (4) ~~Funds appropriated for the purpose of remediation support for students who fail the high school competency test shall be~~

~~distributed in accordance with rules promulgated by the State Board of Education. The State Board of Education shall allocate remediation funds to institutions administered by the Department of Human Resources on the same basis as funds allocated to other local education agencies."~~

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

GLOBAL CURRICULUM PROGRAM

Sec. 18.15. The funds appropriated in this act for the Global Curriculum Program shall be used to improve the knowledge and understanding of middle and high school students in the areas of international and cultural studies, by identifying and training master teachers and providing orientations and materials. The State Board of Education may enter into contracts to implement the Program.

Requested by: Representatives Grady, Preston, Cummings, Senators Winner, Plexico, Little, Conder

REWARDS FOR TEACHER EXCELLENCE

Sec. 18.16. The State Board of Education shall study ways to reward teachers and other school personnel by linking some portion of future salary increases to the performance of students and to other factors that the board determines are important for improving North Carolina schools. These other factors shall include methods for rewarding outstanding teachers to include skills and competency based pay, responsibility pay, expansion of school-performance awards under the ABC Program. This study should examine the operation of such programs in other states and local school districts, and the impact of these programs on improving student performance.

In the course of the study, the State Board shall take into account the differences in schools, school resources, and student populations, that different teachers and other school personnel encounter. The State Board shall report on the study to the Joint Legislative Education Oversight Committee prior to January 15, 1997.

Requested by: Senators Hobbs, Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

SCHOOL FACILITIES GUIDELINES

Sec. 18.17. (a) G.S. 115C-81(b) reads as rewritten:

"(b) The Basic Education Program shall include course requirements and descriptions similar in format to materials previously contained in the standard course of study and it shall provide:

- (1) A core curriculum for all students that takes into account the special needs of children and includes appropriate

modifications for the learning disabled, the academically gifted, and the students with discipline and emotional problems;

- (2) A set of competencies, by grade level, for each curriculum area;
- (3) A list of textbooks for use in providing the curriculum;
- (4) Standards for student performance and promotion based on the mastery of competencies, including standards for graduation, that take into account children with special needs and, in particular, include appropriate modifications;
- (5) A program of remedial education;
- (6) Required support programs;
- (7) A definition of the instructional day;
- (8) Class size recommendations and requirements;
- (9) Prescribed staffing allotment ratios;
- (10) Material and equipment allotment ratios;
- (11) Facilities standards, guidelines that reflect educational program appropriateness, long-term cost efficiency, and safety considerations; and
- (12) Any other information the Board considers appropriate and necessary.

The State Board shall not adopt or enforce any rule that requires Algebra I as a graduation standard or as a requirement for a high school diploma for any student whose individualized education program (i) identifies the student as learning disabled in the area of mathematics and (ii) states that this learning disability will prevent the student from mastering Algebra I."

(b) G.S. 115C-489.3(c) is repealed.

(c) G.S. 115C-521(c) reads as rewritten:

"(c) The building of all new school buildings and the repairing of all old school buildings shall be under the control and direction of, and by contract with, the board of education for which the building and repairing is done. If a board of education is considering building a new school building to replace an existing school building, the board shall not invest any construction money in the new building unless it submits to the State Superintendent and the State Superintendent submits to the North Carolina Historical Commission an analysis that compares the costs and feasibility of building the new building and of renovating the existing building and that clearly indicates the desirability of building the new building. ~~Boards of education shall also not invest any money in any new building that is not built in accordance with plans approved by the State Superintendent to structural and functional soundness, safety and sanitation, nor~~ No board of education shall invest any money in any new building until it has (i) developed plans based upon a consideration of the State Board's facilities guidelines, (ii) submitted these

plans to the State Board for its review and comments, and (iii) reviewed the plans based upon a consideration of the comments it receives from the State Board. No local board of education shall contract for more money than is made available for ~~its erection. the erection of a new building.~~ However, this subsection shall not be construed so as to prevent boards of education from investing any money in buildings that are being constructed pursuant to a continuing contract of construction as provided for in G.S. 115C-441(c1). All contracts for buildings shall be in writing and all buildings shall be inspected, received, and approved by the local superintendent and the architect before full payment is made ~~therefor. Provided, that this subsection shall not therefor.~~ Nothing in this subsection shall prohibit boards of education from repairing and altering buildings with the help of janitors and other regular employees of the board.

In the design and construction of new school buildings and in the renovation of existing school buildings that are required to be designed by an architect or engineer under G.S. 133-1.1, the local board of education shall participate in the planning and review process of the Energy Guidelines for School Design and Construction that are developed and maintained by the Department of Public Instruction and shall adopt local energy-use goals for building design and operation that take into account local conditions in an effort to reduce the impact of operation costs on local and State budgets. In the design and construction of new school facilities and in the repair and renovation of existing school facilities, the local board of education shall consider the placement and design of windows to use the climate of North Carolina for both light and ventilation in case of power shortages. A local board shall also consider the installation of solar energy systems in the school facilities whenever practicable.

In the case of any school buildings erected, repaired, or equipped with any money loaned or granted by the State to any local school administrative unit, the State Board of Education, under any rules as it may deem advisable, may retain any amount not to exceed fifteen percent (15%) of the loan or grant, until the completed buildings, erected or repaired, in whole or in part, from the loan or grant funds, shall have been approved by a designated agent of the State Board of Education. Upon approval by the State Board of Education, the State Treasurer may pay the balance of the loan or grant to the treasurer of the local school administrative unit for which the loan or grant was made."

(d) G.S. 115C-521 is amended by adding a new subsection to read:

"(e) The State Board of Education shall establish within the Department of Public Instruction a central clearinghouse for access by local boards of education that may want to use a prototype design in the construction of school facilities. The State Board shall compile necessary publications and a computer database to distribute information on prototype designs to local school administrative units. All architects and engineers registered in North

Carolina may submit plans for inclusion in the computer database and these plans may be accessed by any person. The original architect of record or engineer of record shall retain ownership and liability for a prototype design. The State Board may adopt rules it considers necessary to implement this subsection."

(e) School facilities guidelines and standards adopted by the State Board of Education before the effective date of this section shall remain in effect as guidelines only.

(f) This section is effective upon ratification.

Sec. 18.18. The School Facilities Task Force.

(a) There is created the School Facilities Task Force under the State Board of Education. The Task Force shall consist of the following members appointed by the State Board:

- (1) One member of the State Board.
- (2) One architect.
- (3) One representative from a school of architecture within a constituent institution of The University of North Carolina.
- (4) Two local school administrative unit employees with expertise in school facilities.
- (5) One representative of the North Carolina Association of County Commissioners.
- (6) One representative of the North Carolina School Boards Association.
- (7) One engineer.
- (8) Any other members the State Board considers necessary.

All members shall be voting members. The Task Force shall select a member of the Task Force to serve as its chair.

Members of the Task Force shall receive travel and subsistence expenses in accordance with G.S. 138-5 and G.S. 138-6.

The Department of Public Instruction shall, with the approval of the State Board of Education, provide staff, office equipment, supplies, and meeting space to the Task Force.

(b) The Task Force shall:

- (1) Review the State Board's facilities guidelines for the construction, acquisition, renovation, and replacement of facilities, furniture, equipment, apparatus, and spaces for public schools to ensure they reflect both educational program appropriateness and long-term cost-efficiency.
- (2) Make recommendations to the State Board as to (i) which guidelines should be maintained, revised, or eliminated, and (ii) any new guidelines that it considers appropriate.
- (3) Develop and recommend to the State Board a procedure for the Board to follow when facilities plans are submitted by

local school administrative units for the Board's review and comments.

(4) Develop and recommend to the State Board a proposal in accordance with G.S. 115C-521(e) for the establishment of a central clearinghouse for prototype designs.

(5) Submit its recommendations under this subsection to the State Board no later than December 1, 1996.

(c) Based upon a consideration of the recommendations of the Task Force, the State Board shall adopt (i) revised facilities guidelines to assist local school administrative units in the construction, acquisition, renovation, and replacement of facilities, furniture, equipment, apparatus, and spaces for public schools, (ii) the procedure for local school administrative units to follow when they submit school facilities plans for the State Board's review and comments, and (iii) a plan to establish within the Department of Public Instruction a central clearinghouse for prototype designs. The State Board shall submit a report by April 15, 1997, to the General Assembly that includes the revised facilities guidelines, the facilities review procedure, and the plan to establish a central clearinghouse for prototype designs. Upon submission of this report to the General Assembly, the Task Force shall terminate.

Requested by: Representatives Esposito, Grady, Preston, Senators Winner, Plexico

FUNDS TO IMPLEMENT THE ABC'S OF PUBLIC EDUCATION PROGRAM

Sec. 18.19. (a) Of the funds appropriated to State Aid to Local School Administrative Units, the State Board of Education may use up to twenty-four million five hundred thousand dollars (\$24,500,000) for the 1996-97 fiscal year to provide incentive funding for schools with higher than projected levels of improvement in student performance, in accordance with the ABC's of Public Education Program. The State Board of Education may allocate up to twenty-one million dollars (\$21,000,000) of these funds on a per-certified personnel basis for each eligible school and up to three million five hundred thousand dollars (\$3,500,000) on a per-teacher assistant basis for each eligible school.

It is the intent of the General Assembly to fully fund this program for the 1997-98 and subsequent fiscal years.

(b) Of the funds appropriated to State Aid to Local School Administrative Units, the State Board of Education may use up to one million dollars (\$1,000,000) for assistance teams to low-performing schools.

Requested by: Representatives Grady, Preston, Senators Plyler, Perdue, Odom

CERTIFIED PUBLIC SCHOOL PERSONNEL COMPENSATION STUDY

Sec. 18.20. (a) The Joint Legislative Commission on Governmental Operations shall contract with a qualified employee benefits consulting practice or research organization to conduct a comparative analysis of certified public school personnel compensation in North Carolina school systems. As part of the analysis, teachers base pay, the statewide salary schedule, incentives (i.e., local supplements, benefits, etc., if any), and benefits packages in other states, including southeastern states in the Southern Regional Education Board region, shall be compared with North Carolina's certified public school personnel salary schedule and benefits packages.

The scope of this comparative analysis shall be to determine, in those states who are regional neighbors as defined by the Southern Legislative Conference and the Southern Regional Education Board and in other states included in the study, how North Carolina certified public school personnel salaries and benefits rank within states in the region and other states included in the study, and the recurring cost to offer and maintain them at current levels. Median as well as average salary levels shall be determined for each state.

In addition, this comparative analysis shall identify 5 to 10 other states in the country most like North Carolina in terms of public school demographics (both students and certified personnel), public school funding policy and governing structure, entry, certification, and career requirements for teaching personnel, and other factors or conditions that most affect teachers salary and benefits, and compare and rank those salaries and benefits packages of these states to North Carolina certified public school personnel compensation packages.

Applying survey research methods considered to be reliable and valid statistically, the contractor shall determine the relative "economic value" of these benefits to the employees.

Finally, the contractor shall produce a "regional compensation survey model" as a product of this study of certified public school personnel that could then be made available for other studies of State employees in the executive and judicial branches of North Carolina State government. As part of the contractors work, training in conducting these other studies would be provided to legislative staff.

(b) In order to determine which organizations may be most qualified to conduct such an analysis, the Commission may appoint a subcommittee that shall be responsible for issuing a Request for Qualifications (RFQ). All firms responding to the RFQ shall be evaluated in accordance with procedures established by the subcommittee. Up to five firms may be invited to submit separate technical and cost proposals in response to the standard Request for Proposals (RFP).

A contract shall be awarded no later than October 15, 1996. The study shall begin no later than November 1, 1996. A progress report shall be issued to the subcommittee for review and approval no later than December

31, 1996, and a final report no later than April 1, 1997.

The Legislative Services Office shall provide such coordinating staff to the Joint Legislative Commission on Governmental Operations and its subcommittee as necessary.

Requested by: Senators Dannelly, Winner, Plexico, Little, Conder
Representatives Grady, Preston, Cummings

NORTH CAROLINA STANDARDS BOARD FOR PUBLIC SCHOOL ADMINISTRATORS

Sec. 18.21. (a) G.S. 115C-290.5 reads as rewritten:

"§ 115C-290.5. Powers and duties of the Board; development of the North Carolina Public School Administrator Exam.

(a) The Standards Board shall administer this Article. In fulfilling this duty, the Standards Board shall:

- (1) ~~Develop~~ In accordance with subsection (c) of this section, develop and implement a North Carolina Public School Administrator Exam, based on the professional standards established by the Standards Board.
- (2) Establish and collect an application fee not to exceed fifty dollars (\$50.00), and an exam fee not to exceed one hundred fifty dollars (\$150.00). Fees collected under this Article shall be credited to the General Fund as nontax revenue.
- (3) Review the educational achievements of an applicant to take the exam to determine whether the achievements meet the requirements set by G.S. 115C-290.7.
- (4) Notify the State Board of Education of the names and addresses of the persons who passed the exam and are thereby recommended to be certified as public school administrators by the State Board of Education.
- (5) Maintain accounts and records in accordance with the Executive Budget Act, Article 1 of Chapter 143 of the General Statutes.
- (6) Adopt rules in accordance with Chapter 150B of the General Statutes to implement this Article.
- (7) Submit an annual report by December 1 of each year to the Joint Legislative Education Oversight Committee of its activities during the preceding year, together with any recommendations and findings regarding improvement of the profession of public school administration.

(b) The Board may adopt a seal and affix it to any documents issued by the Board.

(c) The Standards Board shall submit its proposed exam to the State Board. The State Board shall adopt or reject the proposal. The State Board shall not

make any substantive changes to any exam that it adopts. If the State Board rejects the proposal, it shall state with specificity its reasons for rejection; the Standards Board then may prepare another proposed exam and submit it to the State Board. If the State Board rejects the proposed exam on its second submission, the State Board may develop and adopt an exam by December 1, 1997. The General Assembly urges the State Board to utilize the Standards Board's proposed exam to the maximum extent that it is consistent with the State Board's policies if the State Board develops and adopts an exam. After an exam has been adopted, the Standards Board may submit suggested changes to the State Board for its approval."

(b) G.S. 115C-290.7(a) reads as rewritten:

"(a) The Standards Board shall recommend for certification by the State Board an individual who submits a complete application to the Standards Board and satisfies all of the following requirements:

- (1) Pays the application fee established by the Standards Board.
- (2) Pays the exam fee established by the Standards Board.
- (3) Has a bachelors degree from an accredited college or accredited university and (i) has a graduate degree from a public school administration program that meets the public school administrator program approval standards set by the State Board of ~~Education~~. Education, or (ii) has a masters degree from an accredited college or accredited university and has completed by December 31, 1999, a public school administration program that meets the public school administration approval standards set by the State Board of Education.

(4) Passes the exam."

(c) G.S. 115C-290.8 reads as rewritten:

"§ 115C-290.8. Exemptions from requirements.

The requirements of this Article do not apply to a person who, at any time during the five years preceding January 1, 1998, (i) completed an administrative internship as part of an approved graduate program in school administration and obtained an active State administrator/supervisor certificate, or (ii) was engaged in public school administration at either a public school in North Carolina or a school in North Carolina operated by the United States government, while in possession of an active State administrator/supervisor certificate. A person who is exempt from the requirements of this Article but applies to the Standards Board under this Article shall be subject to the Article."

(d) Subsections (b) and (c) of this section become effective January 1, 1998. The remainder of this section is effective upon ratification.

Requested by: Senators Winner, Plexico, Little, Conder, Representatives

Grady, Preston, Cummings

SCHOOL LAW REVISION COMMISSION

Sec. 18.23. (a) The cochairs of the Joint Legislative Education Oversight Committee shall appoint a subcommittee to revise the public school laws.

The subcommittee shall consist of equal numbers of members appointed by the Senate chair and the House chair. Either chair may appoint to the subcommittee members, including public members, who are not also members of the Committee.

Members of the subcommittee who are not members of the Committee may participate fully in all subcommittee business, including all deliberations and votes; however, these members are not members of the Committee for any other purpose.

(b) The subcommittee shall:

- (1) Conduct a comprehensive review of the public school laws;
- (2) Identify laws that are outdated, vague, unnecessary, or otherwise in need of revision; and
- (3) Revise the public laws so they are consistent with the North Carolina Constitution and with the goals of the General Assembly and the State Board of Education in order to improve student performance, increase local flexibility and control, and promote economy and efficiency.

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

EDUCATION OF GIFTED STUDENTS

Sec. 18.24. (a) G.S. 115C-81(b)(1) reads as rewritten:

- "(1) A core curriculum for all students that takes into account the special needs of children and includes appropriate modifications for the learning disabled, the academically gifted, or intellectually gifted students, and the students with discipline and emotional problems;"

(b) G.S. 115C-109 reads as rewritten:

"§ 115C-109. Definition of children with special needs.

The term 'children with special needs' includes, without limitation, all children from age five through age 20 who because of permanent or temporary mental, physical or emotional handicaps need special education, are unable to have all their needs met in a regular class without special education or related services, or are unable to be adequately educated in the public schools. It includes those who are mentally retarded, epileptic, learning disabled, cerebral palsied, seriously emotionally disturbed, orthopedically impaired, autistic, multiply handicapped, pregnant, hearing-impaired, speech-impaired, blind or visually impaired, and other health ~~impaired, and academically gifted.~~

impaired."

(c) G.S. 115C-110(d) reads as rewritten:

"(d) The Board shall adopt rules or regulations covering:

- (1) The qualifications of and standards for certification of teachers, teacher assistants, speech clinicians, school psychologists, and others involved in the education and training of children with special needs;
- (2) Minimum standards for the individualized educational program for all children with special needs other than for the ~~academically gifted and the pregnant children, and for the group educational program for the academically gifted children~~ and the educational program for the pregnant children, who receive special education and related services; and
- (3) Such other rules or regulations as may be necessary or appropriate for carrying out the purposes of this Article. Representatives from the Departments of Human Resources and Correction shall be involved in the development of the standards outlined under this subsection."

(d) G.S. 115C-110(k) reads as rewritten:

"(k) The Department shall monitor the effectiveness of individualized education programs in meeting the educational needs of all children with special needs other than ~~academically gifted and pregnant children, and of group educational programs in meeting the educational needs of the academically gifted children~~, and of educational programs in meeting the educational needs of the pregnant children."

(e) G.S. 115C-113 reads as rewritten:

"§ 115C-113. Diagnosis and evaluation; individualized education program.

(a) Before taking any action described in subsection (b), below, each local educational agency shall cause a multi-disciplinary diagnosis and evaluation to be made of the child. The State Board of Education shall establish special, simplified procedures for the diagnosis and evaluation of the pregnant child, which procedures shall focus on the particular needs of the pregnant child and shall exclude those procedures which are not pertinent to the pregnant. The local educational agency shall use the diagnosis and evaluation to determine if the child has special needs, diagnose and evaluate those needs, propose special education programs to meet those needs, and provide or arrange to provide such programs. A multi-disciplinary diagnosis and evaluation is one which includes, without limitation, medical (if necessary), psychological (if necessary) and educational assessments and recommendations; such an evaluation may include any other assessments as the Board may, by rule or regulation, require.

All testing and evaluation materials and procedures utilized for the purposes of evaluation and placement of children with special needs will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it clearly is not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

(b) An initial multi-disciplinary diagnosis and evaluation based on rules developed by the Board shall be made before any such child is placed in a special education program, removed from such a program and placed in a regular school program, transferred from one type of special education program to another, removed from a school program for placement in a nonschool program, or otherwise tracked, classified, or treated as a child with special needs.

(c) Referral of any child shall be in writing, signed by the person requesting diagnosis and evaluation, setting forth the reasons for the request; it shall be sent or delivered to one of the following: the child's teacher, the principal of the school to which the child is, has been or will be assigned, or the superintendent of the affected local educational agency or his designee. The local educational agency shall send a written notice to the parent or guardian describing the evaluation procedure to be followed and requesting consent for the evaluation. If the parents or guardian consent, the diagnosis and evaluation may be undertaken; if they do not, the local educational agency may obtain a due process hearing pursuant to G.S. 115C-116 on the failure of the parent or guardian to consent.

The local educational agency shall provide or cause to be provided, as soon as possible after receiving consent for evaluation, a diagnosis and evaluation appropriate to the needs of the child unless the parents or guardian have objected to such evaluation. If at the conclusion of the evaluation, the child is determined to be a child with special needs, the local educational agency shall within 30 calendar days convene an individualized education program committee. The purpose of the meeting shall be to propose the special education and related services for the child. An interpretation of the multi-disciplinary diagnosis and evaluation will be made to the parent or guardian during the meeting. The proposal shall set forth the specific benefits expected from such a program, a method for monitoring the benefits, and a statement regarding conditions which will be considered indicative of the child's readiness for participation in regular classes.

After an initial referral is made, the provision of special education and related services shall be implemented within 90 calendar days to eligible students, unless the parents or guardian refuse to consent to evaluation or placement or the parent or local educational agency requests a due process hearing.

Within 12 months after placement in a special education program, and at least annually thereafter, those people responsible for developing the child's individualized education program, ~~group educational program for the academically gifted,~~ or educational program for the pregnant, shall review the child's progress and, on the basis of previously stated expected benefits, decide whether to continue or discontinue the placement or program. If the review indicates that the placement or program does not benefit the child, the appropriate reassignment or change in the prescribed program shall be recommended to the parents or guardian.

The local educational agency shall keep a complete written record of all diagnostic and evaluation procedures attempted, their results, the conclusions reached, and the proposals made.

(d) The local educational agency shall furnish the results, findings, and proposals, as described in the individualized education program ~~or group educational program~~ based on the diagnosis and evaluation to the parents or guardian in writing in the parents' or guardian's native language or by their dominant mode of communication, prior to the parent or guardian giving consent for initial placement in special education and related services. Prior notice will be given to the parents or guardian by the local educational agency before any change in placement.

A reevaluation must be completed at least every three years to determine the appropriateness of the child's continuing to receive special education and related services. ~~Provided, that a reevaluation for an academically gifted child shall be completed within three years of initial evaluation for a child who has been identified as academically gifted prior to the second semester of the third grade. For a child who is identified as academically gifted during the second semester of the third grade or thereafter, no reevaluation is required.~~ services.

(e) Each local educational agency shall make and keep current a list of all children evaluated and diagnosed pursuant to this section who are found to have special needs and of all children who are receiving home, hospital, institutional or other special education services, including those being educated within the regular classroom setting or in other special education programs.

(f) Each local educational agency shall prepare individualized educational programs for all children found to be children with special needs other than the ~~academically gifted and pregnant children, and group educational programs prescribed in subsection (g) of this section for the academically gifted children,~~ and educational programs prescribed in subsection (h) of this section for the pregnant children. The individualized educational program shall be developed in conformity with Public Law 94-142 and the implementing regulations issued by the United States Department of Education and shall be implemented in conformity with timeliness set by that Department. The term 'individualized educational program' means a written statement for each such child developed in any meeting by a representative of the local educational

agency who shall be qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of such children, the teacher, the parents or guardian of such child, and, whenever appropriate, such child, which statement shall be based on rules developed by the Board. Each local educational agency shall establish, or revise, whichever is appropriate, the individualized educational program of each child with special needs each school year and will then review and, if appropriate revise, its provisions periodically, but not less than annually. In the facilities and programs of the Department of Human Resources, the individualized educational program shall be planned in collaboration with those other individuals responsible for the design of the total treatment or habilitation plan or both; the resulting educational, treatment, and habilitation plans shall be coordinated, integrated, and internally consistent.

~~(g) Each local educational agency shall prepare group educational programs for the academically gifted children. The State Board of Education shall promulgate rules and regulations specifically to address the preparation of these group educational programs, which rules and regulations shall include specific grouping standards and specific program standards, and shall also include standards for ensuring that the individual educational needs of each child within the group are addressed.~~

(h) Each local educational agency shall prepare educational programs for the pregnant children. The State Board of Education shall promulgate rules and regulations specifically to address the preparation of these educational programs, which rules and regulations shall include specific standards for ensuring that the individual educational needs of each child are addressed."

(f) Chapter 115C of the General Statutes is amended by adding a new Article 9B to read:

"ARTICLE 9B.

"Academically or Intellectually Gifted Students.

"§ 115C-150.5. Academically or intellectually gifted students.

The General Assembly believes the public schools should challenge all students to aim for academic excellence and that academically or intellectually gifted students perform or show the potential to perform at substantially high levels of accomplishment when compared with others of their age, experience, or environment. Academically or intellectually gifted students exhibit high performance capability in intellectual areas, specific academic fields, or in both intellectual areas and specific academic fields. Academically or intellectually gifted students require differentiated educational services beyond those ordinarily provided by the regular educational program. Outstanding abilities are present in students from all cultural groups, across all economic strata, and in all areas of human endeavor.

"§ 115C-150.6. State Board of Education responsibilities.

In order to implement this Article, the State Board of Education shall:

- (1) Develop and disseminate guidelines for developing local plans under G.S. 115C-150.7(a). These guidelines should address identification procedures, differentiated curriculum, integrated services, staff development, program evaluation methods, and any other information the State Board considers necessary or appropriate.
- (2) Provide ongoing technical assistance to the local school administrative units in the development, implementation, and evaluation of their local plans under G.S. 115C-150.7.

"§ 115C-150.7. Local plans.

(a) Each local board of education shall develop a local plan designed to identify and establish a procedure for providing appropriate educational services to each academically or intellectually gifted student. The board shall include parents, the school community, representatives of the community, and others in the development of this plan. The plan may be developed by or in conjunction with other committees.

(b) Each plan shall include the following components:

- (1) Screening, identification, and placement procedures that allow for the identification of specific educational needs and for the assignment of academically or intellectually gifted students to appropriate services.
- (2) A clear statement of the program to be offered that includes different types of services provided in a variety of settings to meet the diversity of identified academically or intellectually gifted students.
- (3) Measurable objectives for the various services that align with core curriculum and a method to evaluate the plan and the services offered. The evaluation shall focus on improved student performance.
- (4) Professional development clearly matched to the goals and objectives of the plan, the needs of the staff providing services to academically or intellectually gifted students, the services offered, and the curricular modifications.
- (5) A plan to involve the school community, parents, and representatives of the local community in the ongoing implementation of the local plan, monitoring of the local plan, and integration of educational services for academically or intellectually gifted students into the total school program. This should include a public information component.
- (6) The name and role description of the person responsible for implementation of the plan.
- (7) A procedure to resolve disagreements between parents or guardians and the local school administrative unit when a

child is not identified as an academically or intellectually gifted student or concerning the appropriateness of services offered to the academically or intellectually gifted student.

- (8) Any other information the local board considers necessary or appropriate to implement this Article or to improve the educational performance of academically or intellectually gifted students.

(c) Upon its approval of the plan developed under this section, the local board shall submit the plan to the State Board of Education for its review and comments. The local board shall consider the comments it receives from the State Board before it implements the plan.

(d) A plan shall remain in effect for no more than three years; however, the local board may amend the plan as often as it considers necessary or appropriate. Any changes to a plan shall be submitted to the State Board of Education for its review and comments. The local board shall consider the State Board's comments before it implements the changes.

"§ 115C-150.8. Review of Disagreements.

In the event that the procedure developed under G.S. 115C-150.7(b)(7) fails to resolve a disagreement, the parent or guardian may file a petition for a contested case hearing under Article 3 of Chapter 150B of the General Statutes. The scope of review shall be limited to (i) whether the local school administrative unit improperly failed to identify the child as an academically or intellectually gifted student, or (ii) whether the local plan developed under G.S. 115C-150.7 has been implemented appropriately with regard to the child. Following the hearing, the administrative law judge shall make a decision that contains findings of fact and conclusions of law. Notwithstanding the provisions of Chapter 150B of the General Statutes, the decision of the administrative law judge becomes final, is binding on the parties, and is not subject to further review under Article 4 of Chapter 150B of the General Statutes."

(g) Funding allotments in the Public School Fund shall be allocated as follows:

Existing Funding Allotment

Exceptional Children.

New Funding Allotments

- (1) Children With Special Needs.
(2) Academically or Intellectually Gifted Students.

(h) G.S. 115C-105.21A(b) is amended by adding a new subdivision to read:

- "(8) Funds allocated for academically or intellectually gifted students may be used only (i) for academically or intellectually gifted students; (ii) to implement the plan developed under G.S. 115C-150.7; (iii) for children with special needs; or (iv) in accordance with an accepted school

improvement plan, for any purpose so long as that school demonstrates it is providing appropriate services to academically or intellectually gifted students assigned to that school in accordance with the local plan developed under G.S. 115C-150.7."

(i) Effective July 1, 1997, G.S. 115C-105.21A(b)(8) reads as rewritten:

"(8) Funds allocated for academically or intellectually gifted students may be used only (i) for academically or intellectually gifted students; (ii) to implement the plan developed under G.S.115C-150.7; ~~(iii) for children with special needs; or (iv) or (iii)~~ in accordance with an accepted school improvement plan, for any purpose so long as that school demonstrates it is providing appropriate services to academically or intellectually gifted students assigned to that school in accordance with the local plan developed under G.S. 115C-150.7."

(j) G.S. 115C-105.21A(b)(4) reads as rewritten:

"(4) Funds allocated for ~~exceptional children and funds~~ children with special needs may be transferred only for academically or intellectually gifted students. Funds allocated for driver's education shall not be transferred."

(k) Effective July 1, 1997, G.S. 115C-105.21A(b)(4) reads as rewritten:

"(4) Funds allocated for children with special needs ~~may be transferred only for academically or intellectually gifted students.~~ Funds and funds allocated for driver's education shall not be transferred."

(l) The State Board of Education shall establish deadlines for local school administrative units to implement the local plans developed under G.S. 115C-150.7. All local school administrative units shall begin implementation of their local plans by the beginning of the 1998-99 school year.

(m) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by December 15, 1996, and by December 15, 1998, on the implementation of this section.

Requested by: Representatives Holmes, Creech, Esposito, Senators Winner, Plexico, Little, Conder

SCHOOL BOND ACT TECHNICAL CORRECTIONS

Sec. 18.25. (a) Section 4 of Chapter 631 of the 1995 Session Laws reads as rewritten:

"Sec. 4. Authorization of Bonds and Notes. -- Subject to a favorable vote of a majority of the qualified voters of the State who vote on the question of

issuing Public School Building Bonds in the election held as provided in this act, the State Treasurer is authorized, by and with the consent of the Council of State, to issue and sell, at one time or from time to time, general obligation bonds of the State to be designated 'State of North Carolina Public School Building Bonds', with any additional designations as may be determined to indicate the issuance of bonds from time to time, or notes of the State as provided in this act, in the aggregate principal amount not exceeding one billion eight hundred million dollars (\$1,800,000,000) for the purposes authorized in this act. The principal amounts of bonds or notes issued in any 12-month period shall not exceed four hundred fifty million dollars (\$450,000,000). In determining whether this limit has been reached, the issuance of a note or bond to pay an outstanding note or bond is not considered an issuance."

(b) Section 6(d) of Chapter 631 of the 1995 Session Laws reads as rewritten:

"(d) Match. -- A county is not required to match bond proceeds allocated under subsection (b) of this section. A county is not required to match the Low-Wealth Allocation of bond proceeds under subsection (c) of this section. A county must match both the ADM Allocation and the Growth Allocation of bond proceeds under subsection (c) of this section. These two allocations must be matched at the rate of matching funds equal to three cents (3¢) times the county's ability to pay rank for every one dollar (\$1.00) of allocated bond proceeds. A county's ability to pay rank is its rank in the ranking of counties from lowest to highest county wealth as a percentage of State average wealth made by the State Board of Education for the 1995-96 fiscal year pursuant to Section 17.1 of Chapter 507 of the 1995 Session Laws. The match requirement may be satisfied by non-State expenditures for public school facilities made on or after January 1, 1992. ~~A non-State expenditure has been made for the purpose of the match if funds, including funds expended for debt service, have been budgeted, earmarked, or committed for the general purpose of public school facilities. If a debt has been authorized or incurred since January 1, 1992, for the general purpose of public school facilities, then the face amount of the debt shall be considered as a non-State expenditure for public school facilities for the purpose of the match.~~ Non-state expenditures are defined as follows:

- (1) With respect to debt incurred for public school facilities before January 1, 1992, non-State expenditures include amounts expended on or after January 1, 1992, for debt service for the debt.
- (2) With respect to debt authorized or incurred for public school facilities on or after January 1, 1992, non-State expenditures include only the face amount of the debt.
- (3) With respect to expenditures other than for debt service, non-

State expenditures include funds budgeted, earmarked, or committed on or after January 1, 1992, for the purpose of public school facilities.

As counties satisfy the match requirements of this section, they shall document the extent to which they have done so in periodic reports to the State Board of Education. These reports shall include any information and documentation required by the State Board of Education. The State Board of Education shall certify to the State Treasurer from time to time the extent to which the match requirements of this section have been met with respect to each county; this certification shall be binding and conclusive. Bond proceeds shall be distributed for expenditure only as, and to the extent, the matching requirements of this section are satisfied, as certified by the State Board of Education. The State Board of Education shall also require counties to report annually on the impact of funds provided under this act on the property tax rate for that year. These reports shall be public documents and shall be furnished to any citizen upon request."

(c) This section is effective upon ratification.

Requested by: Senators Winner, Plexico, Davis, Little, Conder, Representatives Grady, Preston, Cummings

REPEAL LOCAL SCHOOL PAY DATES

Sec. 18.26. (a) Section 2 of Chapter 106 of the 1991 Session Laws is repealed.

(b) Chapter 90 of the 1995 Session Laws is repealed.

(c) Section 144 of Chapter 321 of the 1993 Session Laws is repealed.

(d) Chapter 120 of the 1995 Session Laws is repealed.

(e) Chapter 770 of the 1991 Session Laws is repealed.

(f) Section 19.22 of Chapter 769 of the 1993 Session Laws, as amended by Chapter 12 of the 1995 Session Laws, is repealed.

(g) Sections 19.18 and 19.21 of Chapter 769 of the 1993 Session Laws are repealed.

(h) Chapter 399 of the 1989 Session Laws, as amended by Chapter 820 of the 1989 Session Laws, is repealed.

(i) Chapter 995 of the 1991 Session Laws is repealed.

(j) Section 53 of Chapter 561 of the 1993 Session Laws is repealed.

(k) Section 8 of Chapter 246 of the 1991 Session Laws is repealed.

(l) Chapter 835 of the 1991 Session Laws is repealed.

(m) Section 143.1 of Chapter 321 of the 1993 Session Laws, as amended by Section 19.19 of Chapter 769 of the 1993 Session Laws is repealed.

(n) The pay dates for all employees of the Kings Mountain Local School Administrative Unit and the pay date for all employees of the local

boards of education of Alleghany County, Brunswick County, Caldwell County, Charlotte-Mecklenburg County, Cherokee County, Dare County, Haywood County, Henderson County, New Hanover County, Pitt County, Scotland County, and Watauga County shall be established in accordance with the provisions of Chapter 115C of the General Statutes.

Requested by: Representatives Eddins, Grady, Preston, Cummings, Senators Winner, Plexico, Little, Conder,

SCHOOL BUDGETS AND SCHOOL IMPROVEMENT PLANS MADE AVAILABLE

Sec. 18.27. G.S. 115C-288 is amended by adding the following new subsection to read:

"(h) To Make Available School Budgets and School Improvement Plans. -- The principal shall maintain a copy of the school's current budget and school improvement plan, including any amendments to the plan, and shall allow parents of children in the school and other interested persons to review and obtain such documents in accordance with Chapter 132 of the General Statutes."

Requested by: Representatives Preston, Grady, Cummings. Senators Winner, Plexico, Little, Conder

ALTERNATIVE LEARNING PROGRAM/GUIDELINES, TECHNICAL ASSISTANCE, EVALUATION

Sec. 18.28. (a) G.S. 115C-12 is amended by adding a new subdivision to read:

"(24) Duty to Develop Guidelines for Alternative Learning Programs, Provide Technical Assistance on Implementation of Programs, and Evaluate Programs. -- The State Board of Education shall adopt guidelines for assigning students to alternative learning programs. These guidelines shall include (i) a description of the programs and services that are recommended to be provided in alternative learning programs and (ii) a process for ensuring that an assignment is appropriate for the student and that the student's parents are involved in the decision.

The State Board of Education shall provide technical support to local school administrative units to assist them in developing and implementing plans for alternative learning programs.

The State Board shall evaluate the effectiveness of alternative learning programs and, in its discretion, of any other programs funded from the Alternative Schools/At-Risk Student allotment. Local school administrative units shall

report to the State Board of Education on how funds in the Alternative Schools/At-Risk Student allotment are spent and shall otherwise cooperate with the State Board of Education in evaluating the alternative learning programs. The State Board of Education shall report annually to the Joint Legislative Education Oversight Committee, beginning in December 1996, on the results of this evaluation.

(b) The first priority for the use of the expansion budget funds appropriated in this act to the Alternative Schools/At-Risk Student allotment shall be to enable every high school in North Carolina to have a uniformed school resource officer. If a local board of education determines after conferring with parents, teachers, and students at a high school that the school does not need a uniformed school resource officer, the local board may use these funds for other purposes. Local boards of education may use any remaining funds for other programs to ensure school safety, prevent violence, and provide alternative learning programs.

Local boards of education may use funds from the Alternative Schools/At-Risk Student allotment to form partnerships with the Cities In Schools Program or to contract with the Cities In Schools Program for services.

(c) The State Board of Education shall modify the accounting system for State Aid to Local School Administrative Units so that it can account for State funds expended for school resource officers in each local school administrative unit.

(d) Local boards of education are encouraged not to use these State funds in the Alternative Schools/At-Risk Student allotment to supplant local funds.

(e) The State Board of Education may use up to two hundred thousand dollars (\$200,000) of the funds in the Alternative Schools/At-Risk Student allotment to implement G.S. 115C-12(24), as enacted by subsection (a) of this section.

Requested by: Representatives Grady, Preston, Cummings, Senators Winner, Plexico, Little, Conder,

PUBLIC SCHOOL TEACHERS/LIABILITY PROTECTION

Sec. 18.29. Of the funds appropriated to the Department of Public Education for the 1996-97 fiscal year, an amount equal to ten dollars (\$10.00) for each teacher paid from the General Fund shall be allocated by the State Board of Education to each local school administrative unit to provide comprehensive general liability protection, including coverage for errors and omissions, for teachers employed by the local school administrative unit for the 1996-97 school year.

Requested by: Representatives Crawford, Creech, Holmes, Esposito, Senators Plyler, Odom, Perdue

MODEL TEACHER EDUCATION CONSORTIUM

Sec. 18.30. Of the funds appropriated to the State Board of Education for the 1996-97 fiscal year for State Aid to Local School Administrative Units, the Board may use up to one hundred thousand dollars (\$100,000) for the operation of a Model Teacher Education Consortium.

PART 19. DEPARTMENT OF TRANSPORTATION

Requested by: Representatives Barbee, Bowie, Senator Hoyle

USE OF FUNDS RESULTING FROM THE ELIMINATION OF POSITIONS IN DIVISION OF MOTOR VEHICLES

Sec. 19. Funds in the amount of one hundred thirty-five thousand three hundred eighty-nine dollars (\$135,389) realized from the elimination of 11 positions in the Division of Motor Vehicles during the 1996-97 fiscal year shall be placed in a reserve and shall be used only to support the implementation of the State Titling and Registration System. Funds remaining in the reserve at the end of the 1996-97 fiscal year shall revert to the Highway Fund.

Requested by: Representatives Barbee, Bowie, Senator Hoyle

DEPARTMENT OF TRANSPORTATION REPORT ON REORGANIZATION OF DIVISION OF MOTOR VEHICLES

Sec. 19.1. The Department of Transportation shall report to the Joint Legislative Transportation Oversight Committee by December 15, 1996, concerning how it will implement the recommendations for the restructuring of the Division of Motor Vehicles through the elimination of positions, consolidation of offices and functions, and the transfer of functions within and from the Division, which were contained in the performance audit of the Division of Motor Vehicles presented to the Joint Legislative Commission on Governmental Operations in May 1996. This report shall discuss both short-term and long-term managerial actions necessary to implement the recommendations and contain detailed budgetary analyses of the short-term and long-term effects of these actions. This report shall also describe how the various proposals fit in a long-range plan for the modernization of the Division of Motor Vehicles and the functions it performs.

Requested by: Representatives Barbee, Bowie, Senator Hoyle

DEPARTMENT OF TRANSPORTATION REPORTS TO THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE

Sec. 19.2. The Department of Transportation shall make the following reports to the Joint Legislative Transportation Oversight Committee

by the dates specified:

- (1) By November 1, 1996, the Department shall report on any changes needed to be made to the vehicle salvage laws to minimize the number of salvage inspections without compromising the integrity of the salvage process. This report shall address how reductions in dedicated salvage inspection positions shall be made under the proposed system.
- (2) By October 1, 1996, the Department shall provide plans for the study of the following issues, including a schedule for completion of the studies:
 - a. How the process by which licenses are modified, revoked, and suspended can be simplified.
 - b. How touch-tone technology and credit cards can be used in the motor vehicle registration process.
 - c. How credit cards can be used to increase customer payment options.
 - d. How collision reports can be entered directly into an automated system database by law enforcement officers.
- (3) By December 1, 1996, the Department shall report how computer software used to register motor carriers under the International Registration Plan can be reconfigured so that it can be used more efficiently by staff and customers.
- (4) By November 1, 1996, the Department shall:
 - a. Develop a formula to determine the number, location, and staffing of drivers license field offices within the State.
 - b. Use this formula to develop a five-year plan for changes in the number and sizes of drivers license field offices that recognizes the need for the development of larger, multi-functional drivers license offices that provide a wider range of services at centralized locations and to provide a plan for the renovation of existing drivers license field offices that will be retained.
- (5) By December 1, 1996, the Department shall report on how it will maintain technical support for the vehicle registration and drivers license data systems for the 1997-99 biennium. This report shall estimate staffing needs for technical support in each year, address whether and how contract personnel will be used, and determine the feasibility of using more permanent personnel instead of contractors.

Requested by: Representatives Barbee, Bowie, Senator Hoyle

DIVISION OF MOTOR VEHICLES ENFORCEMENT DUTIES

Sec. 19.3. G.S. 20-4 reads as rewritten:

"§ 20-4. Clarification of conflicts as to transfer of functions: Enforcement duties of the Division.

~~In the event that there shall arise any conflict as to the transfer of any functions from the Department of Revenue to the Division of Motor Vehicles, the Governor of the State is hereby authorized to issue an executive order clarifying and making certain the issue thus arising.~~

(a) Primary Duty. -- The primary enforcement duty of the Division is the enforcement of the vehicle weight restrictions set forth in G.S. 20-118. In performing this duty, the Division shall make maximum effective use of permanent weigh stations and portable scales.

(b) Secondary Duties. -- The secondary enforcement duties of the Division are as follows and are listed in the order of importance:

- (1) Enforcement of the motor carrier safety regulations.
- (2) Enforcement of the emissions inspection program.
- (3) Inspection of salvage vehicles.
- (4) Providing security at rest areas.
- (5) Other duties set out in this Chapter.

(c) Restriction. -- The Division shall not undertake an enforcement duty that is not listed in this section unless a law specifically authorizes the Division to do so or the duty is undertaken as a condition of receiving federal funds."

Requested by: Representatives Barbee, Bowie, Senator Hoyle

DEPARTMENT OF TRANSPORTATION--CASH FLOW CONTRACT FUNDING

Sec. 19.4. (a) G.S. 136-176(d) reads as rewritten:

"(d) A contract may be let for projects funded from the Trust Fund in anticipation of revenues pursuant to the cash-flow provisions of G.S. 143-28.1 only for the ~~biennium~~ two bienniums following the year in which the contract is let."

(b) G.S. 143-28.1 reads as rewritten:

"§ 143-28.1. Highway Fund appropriation.

Notwithstanding any other provisions of this Article, the appropriations made from the Highway Fund for highway construction and maintenance are subject to the following provisions.

- (1) Cash Flow Funding for Highway Construction and Maintenance. -- Highway maintenance and construction funds shall be budgeted, expended and accounted for on a 'cash flow' basis. Pursuant to this end, highway maintenance and construction contracts shall be planned and limited so payments due at any time will not exceed the cash available to

pay them.

- (2) Appropriations are for Payments and Contract Commitments to be Made in the Appropriation Fiscal Year. -- The appropriations provided for by the Appropriations Act for highway maintenance and construction are for maximum payments estimated to be made during the appropriation fiscal year and for maximum contracting authority for future years. Highway maintenance and construction contracts shall be scheduled so that the total contract payments and other expenditures charged to projects in the fiscal year for each highway maintenance and construction appropriation item will not exceed the current appropriations provided by the General Assembly and unspent prior appropriations made by the General Assembly for the particular appropriation item.
- (3) Payments Subject to Availability of Funds -- Retainage Fully Funded -- 5% Cash Balance Required. -- The annual appropriations for highway maintenance and construction provided for by the Appropriations Act shall be expended only to the extent that sufficient funds are available in the Highway Fund. The Department of Transportation shall fully fund retainage from maintenance and construction contracts in the year in which the work is performed, and in addition shall maintain an available cash balance at the end of each month equal to at least five percent (5%) of the unpaid balance of the total maintenance and construction contract obligations. In the event this cash position is not maintained, no further construction and maintenance contract commitments shall be entered into until the cash balance has been regained. For the purposes of awarding contracts involving federal-aid, any amount due from the federal government and the Highway Bond Fund as a result of unreimbursed expenditures may be considered as cash for the purposes of this provision.
- (4) Anticipation of Revenues. -- In awarding State highway construction and maintenance contracts requiring payments beyond a biennium, the Director of the Budget may anticipate revenues as authorized and certified by the General Assembly, to continue contract payments for up to seventy-five percent (75%) of the revenues which are estimated for the first fiscal year of the succeeding biennium and which are not required for other budget items. Up to fifty percent (50%) of the revenues not required for other budget items may be anticipated for the second ~~and subsequent fiscal years'~~ year of the succeeding biennium's contract payments. Up to forty

percent (40%) of the revenues not required for other budget items may be anticipated for the first year of the second succeeding biennium and up to twenty percent (20%) of the revenues not required for other budget items may be anticipated for the second year of the second succeeding biennium.

- (5) Amounts Obligated -- Payments Subject to the Availability of Funds -- Termination of Contracts. -- Highway maintenance and construction appropriations may be obligated in the amount of allotments made to the Department of Transportation by the Office of State Budget and Management for the estimated payments for maintenance and construction contract work to be performed in the appropriation fiscal year. The allotments shall be multi-year allotments and shall be based on estimated revenues and shall be subject to the maximum contract authority contained in subdivision (2) above. Payment for highway maintenance and construction work performed pursuant to contract in any fiscal year other than the current fiscal year will be subject to appropriations by the General Assembly. Highway maintenance and construction contracts shall contain a schedule of estimated completion progress and any acceleration of this progress shall be subject to the approval of the Department of Transportation provided funds are available. The State reserves the right to terminate or suspend any highway maintenance or construction contract and any highway maintenance or construction contract shall be so terminated or suspended if funds will not be available for payment of the work to be performed during that fiscal year pursuant to the contract. In the event of termination of any contract, the contractor shall be given a written notice of termination at least 60 days before completion of scheduled work for which funds are available. In the event of termination, the contractor shall be paid for the work already performed in accordance with the contract specifications.
- (6) Provision Incorporated in Contracts. -- The provisions of subdivision (5) of this section shall be incorporated verbatim in all highway construction and maintenance contracts.
- (7) Existing Contracts Are Not Affected. -- The provisions of this section shall not apply to highway construction and maintenance contracts awarded by the Department of Transportation prior to July 15, 1980."
- (c) The Department of Transportation shall report quarterly

beginning on October 15, 1996, and then on the fifteenth of the month following the end of the fiscal quarter, to the Joint Legislative Transportation Oversight Committee on all projects to be built with funds obligated using the cash flow provisions of G.S. 143-28.1. The report shall contain a list of the projects and the amount obligated in anticipation of revenues for each year of the project.

Requested by: Representatives Barbee, Bowie, Senator Hoyle

CASH FLOW HIGHWAY FUND AND HIGHWAY TRUST FUND APPROPRIATIONS

Sec. 19.5. Section 18.9 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 18.9. (a) The General Assembly authorizes and certifies anticipated revenues of the Highway Fund as follows:

For Fiscal Year 1997-98	\$1,075.6 Million <u>\$1,089.4 Million</u>
For Fiscal Year 1998-99	\$1,093.1 Million <u>\$1,110.7 Million</u>
<u>For Fiscal Year 1999-00</u>	<u>\$1,146.7 Million</u>
<u>For Fiscal Year 2000-01</u>	<u>\$1,174.3 Million</u>

(b) The General Assembly authorizes and certifies anticipated revenues of the Highway Trust Fund as follows:

For Fiscal Year 1997-98	\$ 775.8 Million <u>\$ 788.2 Million</u>
For Fiscal Year 1998-99	\$ 799.8 Million <u>\$ 812.7 Million</u>
<u>For Fiscal Year 1999-00</u>	<u>\$ 839.3 Million</u>
<u>For Fiscal Year 2000-01</u>	<u>\$ 867.2 Million".</u>

Requested by: Representatives Barbee, Bowie, Senator Hoyle

RADIO ISLAND RAILROAD TRESTLE

Sec. 19.6. (a) Subsection (b) of Section 18.28 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"(b) The Department of Transportation shall proceed with the planning and construction of the trestle, Project P-3100 in the 1996-2002 Transportation Improvement Program, and shall commence construction of the trestle during calendar year 1996. The Beaufort and Morehead Railroad Company, owner of the trestle, shall be conveyed to the Department of Transportation by the North Carolina Ports Railway Commission for construction of the replacement trestle and related purposes authorized by G.S. 136-44.36. The completed bridge shall be owned by the Department of Transportation and shall be added to the State System for maintenance purposes."

(b) Notwithstanding any other provision of law, the Department of Transportation may award a contract for Project 3100 in the 1996-2002 Transportation Improvement Program on a design-build basis, using any procurement process that the Department of Transportation determines will result in maximum efficiency in constructing this project.

(c) The Department of Transportation shall file a progress report every six months beginning on December 1, 1996, with the Joint Legislative Transportation Oversight Committee on the construction of this project.

Requested by: Senators Hoyle, Little, Gulley, Representatives Bowie, Crawford

UNPAVED SECONDARY ROADS ON STATE LANDS

Sec. 19.7. Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-44.7A. Submission of secondary roads construction programs to State agencies.

When the Department of Transportation proposes to pave an unpaved secondary road that crosses land controlled by a State agency, the Department of Transportation shall obtain the approval of that State agency before paving that secondary road."

Requested by: Representatives Barbee, Bowie, Senator Hoyle

GREEN ROADS INITIATIVE

Sec. 19.8. From funds available to the Department of Transportation, the Department of Correction, and the Division of Forest Resources, Department of Environment, Health, and Natural Resources, approximately 700 acres of land shall be planted with trees during the 1996-97 fiscal year as the start of a "Green Roads Initiative" of reforestation along highways across the State.

The Department of Transportation, in conjunction with the Department of Environment, Health, and Natural Resources, shall identify the locations where the reforestation can be accomplished through the use of seedlings provided by the Division of Forest Resources and prisoners allocated to the Department of Transportation by the Department of Correction.

To the extent possible, the acreage identified for reforestation shall be equally distributed in the 14 transportation engineering divisions.

The goals of the initiative are to plant trees that will provide additional natural habitat for birds and other wildlife, to reduce expensive roadside maintenance by reducing the acreage requiring frequent mowing of grasses, to beautify the State's highways, and to maintain safety for the motoring public.

The Department of Transportation, the Department of Environment, Health, and Natural Resources, and the Department of Correction shall jointly report to the Joint Legislative Transportation Oversight Committee by December 31, 1996, on progress in implementing the Green Roads Initiative.

Requested by: Senators Hoyle, Gulley, Representatives Bowie, Crawford

DEPARTMENT OF TRANSPORTATION LAND SALES PROCEEDS

USED FOR CAPITAL IMPROVEMENTS

Sec. 19.9. (a) Funds received by the Department of Transportation from the sale of Department-owned land (not right-of-way property) during the 1995-96 fiscal year in the amount of twenty-four thousand three hundred ninety-three dollars (\$24,393) shall be used to supplement appropriations for Department of Transportation capital outlays funded in this act, in the priority order established by this act.

(b) This section is effective June 30, 1996.

Requested by: Senators Hoyle, Gulley, Representatives Bowie, Crawford

**CLARIFICATION OF POLICY RELATED TO MATERIALS THAT
MAY BE DISPLAYED AT WELCOME CENTERS**

Sec. 19.10. (a) G.S. 136-18(9) reads as rewritten:

"(9) To employ appropriate means for properly selecting, planting and protecting trees, shrubs, vines, grasses or legumes in the highway right-of-way in the promotion of erosion control, landscaping and general protection of said highways; to acquire by gift or otherwise land for and to construct, operate and maintain roadside parks, picnic areas, picnic tables, scenic overlooks and other appropriate turnouts for the safety and convenience of highway users; and to cooperate with municipal or county authorities, federal agencies, civic bodies and individuals in the furtherance of those objectives. None of the roadside parks, picnic areas, picnic tables, scenic overlooks or other turnouts, or any part of the highway right-of-way shall be used for commercial purposes except (i) for materials displayed in welcome centers in accordance with G.S. 136-89.56, and (ii) for vending machines permitted by the Department of Transportation and placed by the Division of Services for the Blind, Department of Human Resources, as the State licensing agency designated pursuant to Section 2(a)(5) of the Randolph-Sheppard Act (20 USC 107a(a)(5)). The Department of Transportation shall regulate the placing of the vending machines in highway rest areas and shall regulate the articles to be dispensed. Every other use or attempted use of any of these areas for commercial purposes shall constitute a Class 1 misdemeanor and each day's use shall constitute a separate offense."

(b) G.S. 136-89.56 reads as rewritten:

"§ 136-89.56. Commercial enterprises.

No commercial enterprises or activities shall be authorized or conducted by the Department of Transportation, or the governing body of any city or town, within or on the property acquired for or designated as a controlled-access

facility, as defined in this Article, except for vending for:

- (1) Materials displayed at welcome centers which shall be directly related to travel, accommodations, tourist-related activities, tourist-related services, and attractions. The Department of Transportation shall issue rules regulating the display of these materials. These materials may contain advertisements for real estate; and
- (2) Vending machines permitted by the Department of Transportation and placed by the Division of Services for the Blind, Department of Human Resources, as the State licensing agency designated pursuant to Section 2(a)(5) of the Randolph-Sheppard Act (20 USC 107a(a)(5)). The Department of Transportation shall regulate the placing of the vending machines in highway rest areas and shall regulate the articles to be dispensed. In order to permit the establishment of adequate fuel and other service facilities by private owners or their lessees for the users of a controlled-access facility, the Department of Transportation shall permit access to service or frontage roads within the publicly owned right-of-way of any controlled-access facility established or designated as provided in this Article, at points which, in the opinion of the Department of Transportation, will best serve the public interest. The location of such fuel and other service facilities may be indicated to the users of the controlled-access facilities by appropriate signs, the size, style, and specifications of which shall be determined by the Department of Transportation.

The location of fuel and other service facilities may be indicated to the users of the controlled access facilities by appropriate logos placed on signs owned, controlled, and erected by the Department of Transportation. The owners, operators or lessees of fuel and other service facilities who wish to place a logo identifying their business or service on a sign shall furnish a logo meeting the size, style and specifications determined by the Department of Transportation and shall pay the Department for the costs of initial installation and subsequent maintenance. The fees for logo sign installation and maintenance shall be set by the Board of Transportation based on cost."

Requested by: Representatives McLaughlin, Bowie, Crawford, Senators Hoyle, Gulley

VISITOR CENTERS

Sec. 19.11. (a) The Department of Transportation, with the assistance of the Department of Commerce, shall collect the necessary data to accurately estimate the extent and type of use the public makes of the visitor

centers on the State highway system. The Department shall use this data to develop a formula for allocating State resources for the funding of these visitor centers.

(b) The Department shall study and make a recommendation to the General Assembly about requiring a local match for funds appropriated by the State for the operations of local visitor centers.

(c) Until the Department reports to the General Assembly no new visitor centers shall be approved for addition to the State highway system.

(d) The Department shall submit the report required by this section no later than December 31, 1996, to the Joint Legislative Transportation Oversight Committee.

(e) G.S. 20-79.7(c)(2), as amended by Section 18.17 of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(2) From the funds remaining in the Special Registration Plate Account after the deductions in accordance with subdivision (1) of this subsection, there is annually appropriated from the Special Registration Plate Account the sum of five hundred twenty-five thousand dollars (\$525,000) ~~for the 1995-96 fiscal year~~ to provide operating assistance for the Visitor ~~and Welcome~~ Centers:

- a. on U.S. Highway 17 in Camden County, (\$75,000);
- b. on U.S. Highway 17 in Brunswick County, (\$75,000);
- c. on U.S. Highway 441 in Macon County, (\$75,000);
- d. in the Town of Boone, Watauga County, (\$75,000);
- e. on U.S. Highway 29 in Caswell County, (\$75,000);
- f. on U.S. Highway 70 in Carteret County, (\$75,000); and
- g. on U.S. Highway 64 in Tyrrell County, (\$75,000)."

Requested by: Representatives Bowie, Crawford, Senators Hoyle, Gulley

RAILROAD DIVIDEND USES

Sec. 19.12. G.S. 136-16.6 reads as rewritten:

"§ 136-16.6. Continuing rail appropriations.

(a) There is annually ~~appropriated~~ credited to the Highway Fund one hundred percent (100%) of the annual dividends received ~~in the prior fiscal year~~ by the State from its ownership of stock in the North Carolina Railroad Company to the Highway Fund for use by the Department of Transportation for railroad purposes.

(b) The Department of Transportation shall include in its annual budget the purposes for which the annual dividends received by the State from its ownership of stock in the North Carolina Railroad Company will be used.

These purposes may include the following project types to be included in the annual Transportation Improvement Program:

- (1) Track and signal improvements for passenger service.

- (2) Rail passenger stations and multimodal transportation centers.
- (3) Grade crossing protection, elimination, and hazard removal.
- (4) Rail rolling stock cars and locomotives.
- (5) Rail rehabilitation.
- (6) Industrial rail access.

The Department of Transportation shall use these funds to supplement but not supplant funds allocated for projects approved as part of the Transportation Improvement Program.

(c) There is annually appropriated to the Department of Transportation for railroad purposes one hundred percent (100%) of the funds credited to the Highway Fund pursuant to subsection (a) of this section."

Requested by: Representatives Bowie, Crawford, Senators Hoyle, Gulley

RAIL TRAVEL ENHANCEMENT FUNDS

Sec. 19.13.(a) The Department of Transportation may spend up to three million dollars (\$3,000,000) during the 1996-97 fiscal year for rail travel enhancement. Up to one million seven hundred thousand dollars (\$1,700,000) of these funds may come from funds appropriated to the Highway Fund and up to one million three hundred thousand dollars (\$1,300,000) may come from the Highway Fund credit balance remaining as of June 30, 1996. Any dividends received by the State during the 1996-97 fiscal year from its ownership of stock in the North Carolina Railroad Company shall be used to reimburse the Highway Fund for funds spent pursuant to this section.

(b) In future years rail travel enhancement funds shall come from funds appropriated pursuant to G.S. 136-16.6(c) or G.S. 136-44.20(d).

(c) This section becomes effective June 30, 1996.

Requested by: Representatives Bowie, Crawford, Senators Hoyle, Gulley

DRIVERS EDUCATION FUNDING AND STUDY

Sec. 19.14. (a) From funds appropriated by this act to the Department of Transportation, the Department shall pay for the increased costs for drivers education due to the projected increase in average daily membership in the ninth grade drivers education program.

(b) The Joint Legislative Transportation Oversight Committee shall conduct a comprehensive study of the funding of drivers education by the Department of Transportation from the Highway Fund.

The Committee shall include, as part of the study which may consider other aspects, a consideration of:

- (1) The method of accounting for the expenditure of Highway Fund monies by the Department of Public Instruction and the local school administrative units for drivers education;
- (2) The method of reporting on these expenditures to the Office of State Budget and Management, the Department of

Transportation, and to the General Assembly;

- (3) An analysis of which school systems have or have not contracted with nongovernmental entities for providing drivers education; and
- (4) A recommendation for the funding of drivers education from a dedicated funding source that provides for changes in average daily membership in the served student population.

The Joint Legislative Transportation Oversight Committee shall report the results of this study to the 1997 Session of the General Assembly.

PART 20. DEPARTMENT OF CORRECTION

Requested by: Representatives Holmes, Creech, Esposito, Senator Ballance
USE OF FACILITIES CLOSED UNDER GPAC

Sec. 20.1. In conjunction with the closing of small expensive prison units recommended for consolidation by the Government Performance Audit Committee, the Department of Correction shall consult with the county or municipality in which the unit is located or any private for-profit or nonprofit firm about the possibility of converting that unit to other use. Consistent with existing law, the Department may provide for the lease of any of these units to counties, municipalities, or private firms wishing to convert them to other use. The Department of Correction may also consider converting some of the units recommended for closing from medium security to minimum security, where that conversion would be cost-effective.

The Department of Correction shall report quarterly to the Joint Legislative Corrections Oversight Committee on the conversion of these units to other use.

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

REIMBURSEMENT TO COUNTIES FOR HOUSING COSTS OF INMATES AWAITING TRANSFER TO STATE PRISON SYSTEM

Sec. 20.2. (a) G.S. 148-29 reads as rewritten:

"§ 148-29. Transportation of convicts to prison; reimbursement to counties; sheriff's expense affidavit; State not liable for maintenance expenses until convict received; affidavit.

The sheriff having in charge any prisoner to be taken to the ~~Central Prison at Raleigh~~ State prison system shall send him the prisoner to the ~~Central Prison~~ custody of the Department of Correction within five days after ~~the adjournment of the court at which he was sentenced; sentencing and the disposal of all pending charges against the prisoner,~~ if no appeal has been taken. Beginning on the sixth day after sentencing and disposal of all pending charges against the prisoner and continuing through the day the prisoner is

received by the Division of Prisons, the Department of Correction shall pay the county a standard sum set by the General Assembly in its appropriations acts for the cost of providing food, clothing, personal items, supervision, and necessary ordinary medical services to the prisoner awaiting transfer to the State prison system.

The sheriff shall file with the board of commissioners of his county a copy of his affidavit as to necessary guard, together with a copy of his itemized account of expenses, both certified to by him as true copies of those on file in his office. ~~The State is not liable for the expenses of maintaining convicts until they have been received by the State Department of Correction authorities, nor shall any moneys be paid out of the treasury for support of convicts prior to such reception."~~

(b) The Department of Correction may use funds available for the 1995-96 fiscal year to pay the sum of fourteen dollars and fifty cents (\$14.50) per day as reimbursement to counties for the cost of housing inmates convicted and awaiting transfer to the State prison system, as provided in G.S. 148-29.

(c) Of the funds appropriated to the Department of Correction for the 1996-97 fiscal year, the Department may use up to fourteen million six hundred thousand dollars (\$14,600,000) to raise the per diem reimbursement to counties from fourteen dollars and fifty cents (\$14.50) per day to forty dollars (\$40.00) per day for the cost of housing inmates convicted and awaiting transfer to the State prison system, as provided in G.S.148-29. Counties shall send invoices to the Department no more than once monthly, and the Department shall make reimbursement within 30 days of receipt of the invoice.

(d) Subsections (a) and (b) of this section become effective January 1, 1996.

Requested by: Representatives Justus, Thompson, Senator Ballance
**COMBINATION OF PAROLE PROBATION FIELD SERVICES AND
PAROLE PRE- AND POST-RELEASE SERVICES PROGRAMS FOR
BUDGETING PURPOSES**

Sec. 20.3. Notwithstanding any other provision of law, the Department of Correction may combine Parole Probation Field Services and Parole Pre- and Post-Release Services programs for budgeting purposes in order to reflect the actual operation in the field, since officers from each program are responsible for both parole and probation cases.

Requested by: Representatives Justus, Thompson, Senator Ballance
**MODIFICATION OF FUNDING FORMULA FROM THE NORTH
CAROLINA STATE- COUNTY CRIMINAL JUSTICE PARTNERSHIP
ACT**

Sec. 20.4. Notwithstanding the funding formula set forth in G.S.

143B-273.15, grants made through the North Carolina State-County Criminal Justice Partnership Act for the 1996-97 fiscal year shall be distributed to the counties as specified in G.S. 143B-273.15(2) only, and not as discretionary funds. Appropriations not claimed or expended by counties during the 1996-97 fiscal year shall be distributed pursuant to G.S. 143B-273.15(1).

Requested by: Representatives Justus, Thompson, Senator Ballance

DART AFTERCARE FUNDS SHALL NOT REVERT

Sec. 20.5. (a) Funds appropriated in this act to the Department of Correction for the 1995-96 fiscal year for a Drug Alcohol Recovery Treatment (DART) aftercare program shall not revert at the end of the fiscal year but shall remain available to the Department during the 1996-97 fiscal year and be used to contract for up to three pilot programs statewide to provide aftercare services, including counseling and job referral services, for DART DWI offenders and other offenders who have completed a DART program in the Division of Prisons.

The Department of Correction shall report on the pilot programs to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety by March 1, 1997. The report shall include information on the number of clients served, the quality of services, the cost-effectiveness of the services, and the benefits of the programs to offenders.

(b) This section becomes effective June 30, 1996.

Requested by: Representatives Justus, Thompson, Senator Ballance

DEPARTMENT OF CORRECTION/DEPARTMENT OF HUMAN RESOURCES JOINT PLAN/RESERVE FOR SUBSTANCE ABUSE TREATMENT PILOT PROGRAM FOR PAROLEES AND PROBATIONERS SHALL NOT REVERT

Sec. 20.6. (a) The balance of the five hundred eighty-three thousand dollars (\$583,000) appropriated in Chapter 24 of the Session Laws of the 1994 Extra Session to the Department of Correction for the 1994-95 fiscal year and carried forward to the 1995-96 fiscal year by Section 19.8 of Chapter 507 of the 1995 Session Laws for an intensive out-patient substance abuse treatment pilot program for parolees and probationers with serious substance abuse histories shall not revert at the end of the fiscal year but shall remain available to the Department during the 1996-97 fiscal year to be used for the operation and evaluation of the Department of Correction/Department of Human Resources joint substance abuse program, the Drug Alcohol Recovery Treatment (DART) aftercare pilot program, and other prison-based or community corrections substance abuse programs in the Department of Correction, as determined by the Secretary of Correction.

The Department of Correction shall report quarterly to the Joint

Legislative Corrections Oversight Committee on the use of these funds and any benefits realized. The Department of Human Resources shall participate in these reports as they relate to the joint project.

(b) This section becomes effective June 30, 1996.

Requested by: Representatives Holmes, Creech, Esposito, Senators Ballance, Odom

SALARY CONTINUATION BENEFITS FOR ALL DEPARTMENT OF CORRECTION EMPLOYEES INJURED BY DELIBERATE ACT OR WHILE PERFORMING SUPERVISORY DUTIES

Sec. 20.7. (a) G.S. 143-166.13(b) reads as rewritten:

"(b) The following persons are entitled to benefits under this Article regardless of whether they are subject to the Criminal Justice Training and Standards Act:

- (1) Driver License Examiners injured by accident arising out of and in the course of giving a road test, Division of Motor Vehicles, Department of ~~Transportation~~: Transportation;
- (2) Employees of the Department of Correction injured by a direct and deliberate act of an offender supervised by the Department or while performing supervisory duties over offenders which place the employees at risk of such injury."

(b) This section applies to injuries occurring on or after the effective date of this act.

Requested by: Senator Ballance, Representatives Justus, Thompson
REPORT ON WOMEN AT RISK

Sec. 20.8. The Women at Risk Program shall report by December 1, 1996, and by May 1, 1997, to the Joint Legislative Commission on Governmental Operations, the Chairs of the House and Senate Appropriations Committees, and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety on the expenditure of State appropriations and on the effectiveness of the program, including information on the number of clients served, the number of clients who have had their probation revoked, and the number of clients who have successfully completed the program.

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

FEDERAL MATCHING FUNDS

Sec. 20.9. Section 27.10A of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 27.10A. Appropriations made ~~in this act~~ for the 1995-97 biennium to the Office of State Construction of the Department of Administration for

construction of new prison beds, ~~excluding the sum of seven million five hundred thousand dollars (\$7,500,000) to be used for the design and preliminary site work,~~ are to match federal funds available for prison construction in the 1995 or 1996 federal fiscal year or subsequent federal fiscal years. If the federal match is not made available by January 1, 1996, these State funds shall be made available to the Office of State Construction of the Department of Administration for construction of new prison beds, segregation units, and support buildings and systems as specified in this act. construction. Appropriations not needed or used to match federal funds may be made available for construction of new prison beds, segregation units, support buildings and systems, and other needed facilities.

The Office of State Construction shall report to the Chairs of the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections Oversight Committee, the Chairs of the Senate and House Appropriations Committees, and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the availability of federal prison construction matching funds."

Requested by: Representatives Justus, Thompson, Senator Ballance

USE OF PRISON MATCH FUNDS

Sec. 20.10. Section 27.10A1 of Chapter 507 of the 1995 Session Laws is repealed. Any funds appropriated in Chapter 507 of the 1995 Session Laws for construction of new prison beds that are not needed to construct prisons for the 1995-97 fiscal biennium shall be placed in a reserve for appropriation by the 1997 General Assembly.

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

ALTERNATIVES TO OUT-OF-STATE HOUSING

Sec. 20.11. The Department of Correction shall investigate methods of housing inmates within the State rather than in out-of-state facilities, including the use of modular units and small units scheduled to be closed as a result of the recommendations made by the Government Performance Audit Committee. The Department shall report its findings and recommendations quarterly to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Correction Oversight Committee.

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

HARRIET'S HOUSE FUNDS

Sec. 20.12. (a) Section 19.7 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 19.7. Of the funds appropriated to the Department of Correction, the

sum of two hundred thousand dollars (\$200,000) for the 1995-96 fiscal year and the sum of two hundred thousand dollars (\$200,000) for the 1996-97 fiscal year shall be used to support the programs of Harriet's House, a transitional home for female ex-offenders and their children. The funds may be used for program operating costs, the purchase of equipment, and the rental of real property. Harriet's House shall report quarterly to the Joint Legislative Commission on Governmental Operations on the expenditure of State appropriations and on the effectiveness of the program including information on the number of clients served and the number of clients who successfully complete the Harriet's House program."

(b) The balance of the two hundred thousand dollars (\$200,000) appropriated in Chapter 507 of the 1995 Session Laws to the Department of Correction for the 1995-96 fiscal year to support the programs at Harriet's House shall not revert at the end of the fiscal year but shall remain available to the Department during the 1996-97 fiscal year to be used for program operating costs, the purchase of equipment, and the rental of real property.

(c) This section becomes effective June 30, 1996.

Requested by: Senators Ballance, Cooper, Rand, Representatives Justus, Thompson, Kiser

CREATE A NEW FELONY OFFENSE OF ASSAULT INFLECTING SERIOUS BODILY INJURY AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, TO INCREASE THE PUNISHMENT FOR SALE OF HANDGUNS TO MINORS TO A CLASS H FELONY, AND TO INCREASE THE PUNISHMENT FOR SALE OF CONTROLLED SUBSTANCES TO PERSONS UNDER AGE SIXTEEN OR PREGNANT FEMALES TO A CLASS D FELONY

Sec. 20.13. (a) Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-32.4. Assault inflicting serious bodily injury.

Unless the conduct is covered under some other provision of law providing greater punishment, any person who assaults another person and inflicts serious bodily injury is guilty of a Class F felony. 'Serious bodily injury' is defined as bodily injury that creates a substantial risk of death, or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization."

(b) G.S. 14-315(a1) reads as rewritten:

"(a1) Sale of Handguns. -- If a person sells, offers for sale, gives, or in any way transfers to a minor any handgun as defined in G.S. 14-269.7, the person is guilty of a ~~Class F~~ Class H felony and, in addition, shall forfeit the proceeds

of any sale made in violation of this section. This section does not apply in any of the following circumstances:

- (1) The handgun is lent to a minor for temporary use if the minor's possession of the handgun is lawful under G.S. 14-269.7 and G.S. 14-316 and is not otherwise unlawful.
- (2) The handgun is transferred to an adult custodian pursuant to Chapter 33A of the General Statutes, and the minor does not take possession of the handgun except that the adult custodian may allow the minor temporary possession of the handgun in circumstances in which the minor's possession of the handgun is lawful under G.S. 14-269.7 and G.S. 14-316 and is not otherwise unlawful.
- (3) The handgun is a devise or legacy and is distributed to a parent or guardian under G.S. 28A-22-7, and the minor does not take possession of the handgun except that the parent or guardian may allow the minor temporary possession of the handgun in circumstances in which the minor's possession of the handgun is lawful under G.S. 14-269.7 and G.S. 14-316 and is not otherwise unlawful."
- (c) G.S. 90-95(e)(5) reads as rewritten:
"(5) Any person 18 years of age or over who violates G.S. 90-95(a)(1) by selling or delivering a controlled substance to a person under 16 years of age or a pregnant female shall be punished as a ~~Class E~~ Class D felon. Mistake of age is not a defense to a prosecution under this section. It shall not be a defense that the defendant did not know that the recipient was pregnant;"
- (d) This section becomes effective January 1, 1997, and applies to offenses committed on or after that date.

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Odom, Rand, Cooper

EXTEND THE REGULAR PERIOD OF POST-RELEASE SUPERVISION FROM SIX TO NINE MONTHS/EXTEND THE PERIOD OF POST-RELEASE SUPERVISION TO FIVE YEARS FOR SEX OFFENDERS/PROVIDE FOR SPECIAL CONDITIONS OF POST-RELEASE SUPERVISION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF MINORS/PROVIDE FOR MANDATORY CONDITIONS OF PROBATION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF CHILDREN

Sec. 20.14. (a) G.S. 15A-1368.2(c) reads as rewritten:

"(c) A supervisee's period of post-release supervision shall be for a period of ~~six months~~, nine months, unless the offense is an offense for which registration is required pursuant to Article 27A of Chapter 14 of the General Statutes. For offenses subject to the registration requirement of Article 27A of Chapter 14 of the General Statutes, the period of post-release supervision is five years. The conditions of post-release supervision are as authorized in G.S. 15A-1368.5."

(b) G.S. 15A-1368.4 is amended by adding a new subsection to read:

"(b1) Additional Required Conditions for Sex Offenders and Persons Convicted of Offenses Involving Physical, Mental, or Sexual Abuse of a Minor. -- In addition to the required condition set forth in subsection (b) of this section, for a supervisee who has been convicted of an offense which is a reportable conviction as defined in G.S. 14-208.6(4), or which involves the physical, mental, or sexual abuse of a minor, controlling conditions, violations of which may result in revocation of post-release supervision, are:

- (1) Register as required by G.S. 14-208.7 if the offense is a reportable conviction as defined by G.S. 14-208.6(4).
- (2) Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the Commission.
- (3) Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.
- (4) Not reside in a household with any minor child if the offense is one in which there is evidence of sexual abuse of a minor.
- (5) Not reside in a household with any minor child if the offense is one in which there is evidence of physical or mental abuse of a minor, unless a court of competent jurisdiction expressly finds that it is unlikely that the defendant's harmful or abusive conduct will recur and that it would be in the child's best interest to allow the supervisee to reside in the same household with a minor child."

(c) G.S. 15A-1343 is amended by adding a new subsection to read:

"(b2) Special Conditions of Probation for Sex Offenders and Persons Convicted of Offenses Involving Physical, Mental, or Sexual Abuse of a Minor. -- As special conditions of probation, a defendant who has been convicted of an offense which is a reportable conviction as defined in G.S. 14-208.6(4), or which involves the physical, mental, or sexual abuse of a minor, must:

- (1) Register as required by G.S. 14-208.7 if the offense is a reportable conviction as defined by G.S. 14-208.6(4).
- (2) Participate in such evaluation and treatment as is necessary to

complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the court.

- (3) Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.
- (4) Not reside in a household with any minor child if the offense is one in which there is evidence of sexual abuse of a minor.
- (5) Not reside in a household with any minor child if the offense is one in which there is evidence of physical or mental abuse of a minor, unless the court expressly finds that it is unlikely that the defendant's harmful or abusive conduct will recur and that it would be in the minor child's best interest to allow the probationer to reside in the same household with a minor child.
- (6) Satisfy any other conditions determined by the court to be reasonably related to his rehabilitation.

Defendants subject to the provisions of this subsection shall not be placed on unsupervised probation."

(d) This section becomes effective December 1, 1996.

Requested by: Senators Ballance, Cooper, Rand, Representatives Decker, Justus, Thompson, Kiser

CLASS F FELONY OFFENSE TO ASSAULT A LAW ENFORCEMENT OFFICER AND INFLICT SERIOUS BODILY INJURY/CREATE A NEW CRIMINAL OFFENSE OF ASSAULTING FIREFIGHTER

Sec. 20.14B. (a) Article 8 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-34.7. Assault on a law enforcement officer.

Unless covered under some other provision of law providing greater punishment, a person is guilty of a Class F felony if the person assaults a law enforcement officer while the law enforcement officer is discharging or attempting to discharge his or her official duties and inflicts serious bodily injury on the law enforcement officer."

(b) G.S. 143-34.6 reads as rewritten:

"§ 14-34.6. Assault or affray on a firefighter; an emergency medical technician, ambulance attendant, emergency department nurse, or emergency department physician.

(a) A person is guilty of a Class A1 misdemeanor if the person commits an assault or an affray on any of the following persons who are discharging or attempting to discharge their official duties:

- (1) an An emergency medical technician, technician.
- (2) An ambulance attendant; attendant.
- (3) An emergency department nurse, or nurse.
- (4) An emergency department physician while the technician,

~~attendant, nurse, or physician is discharging or attempting to discharge official duties: physician.~~

(5) A firefighter.

(b) Unless a person's conduct is covered under some other provision of law providing greater punishment, a person is guilty of a Class I felony if the person violates subsection (a) of this section and (i) inflicts serious bodily injury or (ii) uses a deadly weapon other than a firearm.

(c) Unless a person's conduct is covered under some other provision of law providing greater punishment, a person is guilty of a Class F felony if the person violates subsection (a) of this section and uses a firearm."

(c) This section becomes effective December 1, 1996, and applies to offenses committed on or after that date.

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

ELIMINATE WAIVER OF PRELIMINARY HEARINGS IN PAROLE AND POST-RELEASE SUPERVISION REVOCATION PROCEEDINGS

Sec. 20.15. (a) G.S. 15A-1376 reads as rewritten:

"(b) When and Where Preliminary Hearing on Parole Violation Required. -- Unless the hearing required by subsection (e) is first held ~~or the parolee waives the hearing~~ or a continuance is requested by the parolee, a preliminary hearing on parole violation must be held reasonably near the place of the alleged violation or arrest and within seven working days of the arrest of a parolee to determine whether there is probable cause to believe that he violated a condition of parole. Otherwise, the parolee must be released seven working days after his arrest to continue on parole pending a hearing. If the parolee is not within the State, his preliminary hearing is as prescribed by G.S. 148-65.1A."

(b) G.S. 15A-1368.6 reads as rewritten:

"(b) When and Where Preliminary Hearing on Post-Release Supervision Violation Required. -- Unless the hearing required by subsection (e) of this section is first held ~~or the supervisee waives the hearing~~ or a continuance is requested by the supervisee, a preliminary hearing on supervision violation shall be held reasonably near the place of the alleged violation or arrest and within seven working days of the arrest of a supervisee to determine whether there is probable cause to believe that the supervisee violated a condition of post-release supervision. Otherwise, the supervisee shall be released seven working days after arrest to continue on supervision pending a hearing. If the supervisee is not within the State, the preliminary hearing is as prescribed by G.S. 148-65.1A."

(c) This section is effective upon ratification.

Requested by: Senators Ballance, Cooper, Rand, Representatives Justus, Thompson, Kiser

FUNDS TO HOUSE PRISONERS OUT OF STATE

Sec. 20.16. In addition to appropriations needed to fund the existing 1,867 contracted beds in out-of-state facilities, the Department of Correction may use up to ten million dollars (\$10,000,000) of the funds appropriated to the Department for the 1996-97 fiscal year to contract to house up to 500 prisoners out of state.

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

AUDIT OF DIVISION OF ADULT PROBATION AND PAROLE

Sec. 20.17. The Joint Legislative Corrections Oversight Committee shall develop a plan for conducting a performance audit of the Division of Adult Probation and Parole of the Department of Correction. The plan shall include recommendations on the appropriate entity to conduct the audit, an outline of the issues and areas to be studied, an estimate of the funding necessary to conduct the audit, and the appropriate date for issuance of the final audit report. The plan shall be submitted to the General Assembly upon the convening of the 1997 Regular Session.

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Cooper, Rand

ADDITIONAL PRIVATE PRISON BEDS

Sec. 20.18. G.S. 148-37(g) reads as rewritten:

"(g) The Secretary of Correction may contract with private for-profit or nonprofit firms for the provision and operation of ~~two~~ four or more confinement facilities totaling up to ~~1,000~~ 2,000 beds in the State to house State prisoners when to do so would most economically and effectively promote the purposes served by the Department of Correction. This ~~1,000-bed~~ 2,000-bed limitation shall not apply to the 500 beds in private substance abuse treatment centers authorized by the General Assembly prior to July 1, 1995. Whenever the Department of Correction determines that new prison facilities are required in addition to existing and planned facilities, the Department may contract for any remaining beds authorized by this section before constructing State-operated facilities.

~~Contracts entered under the authority of this subsection shall be for a period not to exceed 10 years, shall be renewable from time to time for a period not to exceed 10 years, and are subject to the approval of the Council of State and the Department of Administration, after consultation with the Joint Legislative Commission on Governmental Operations. Confinement facilities provided under the authority of this subsection shall not be used for the purpose of consolidating existing State confinement facilities.~~ years. The Secretary of

Correction shall enter contracts under this subsection only if funds are appropriated for this purpose by the General Assembly. Contracts entered under the authority of this subsection may be subject to any requirements for the location of the confinement facilities set forth by the General Assembly in appropriating those funds.

Once the Department has made a determination to contract for additional private prison beds, it shall issue a request for proposals within 30 days of the decision. The request for proposals shall require bids to be submitted within two months, and the Department shall award contracts at the earliest practicable date after the submission of bids. The Secretary of Correction, in consultation with the Chairs of the Joint Legislative Corrections Oversight Committee and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety, shall make recommendations to the State Purchasing Officer on the final award decision. The State Purchasing Officer shall make the final award decision, and the contract shall then be subject to the approval of the Council of State after consultation with the Joint Legislative Commission on Governmental Operations.

Contracts made under the authority of this subsection may provide the State with an option to purchase the confinement facility or may provide for the purchase of the confinement facility by the State. Contracts made under the authority of this subsection shall state that plans and specifications for private confinement facilities shall be furnished to and reviewed by the Office of State Construction. The Office of State Construction shall inspect and review each project during construction to ensure that the project is suitable for habitation and to determine whether the project would be suitable for future acquisition by the State. ~~The Department of Correction may give preference to facilities intended for joint county and State use where such facilities are developed by public/private partnerships and financed by tax-exempt bond issues, and where such facilities offer general terms and conditions favorable to the State in the competitive bidding process pursuant to Article 8 of Chapter 143 of the General Statutes.~~ All contracts for the housing of State prisoners in private confinement facilities shall require a minimum of ten million dollars (\$10,000,000) of occurrence-based liability insurance and shall hold the State harmless and provide reimbursement for all liability arising out of actions caused by operations and employees of the private confinement facility.

Prisoners housed in private confinement facilities pursuant to this subsection shall remain subject to the rules adopted for the conduct of persons committed to the State prison system. The Secretary of Correction may review and approve the design and construction of private confinement facilities before housing State prisoners in these facilities. The rules regarding good time, gain time, and earned credits, discipline, classification, extension of the limits of confinement, transfers, housing arrangements, and eligibility for parole shall apply to inmates housed in private confinement facilities pursuant to this

subsection. The operators of private confinement facilities may adopt any other rules as may be necessary for the operation of those facilities with the written approval of the Secretary of Correction. Custodial officials employed by a private confinement facility are agents of the Secretary of Correction and may use those procedures for use of force authorized by the Secretary of Correction to defend themselves, to enforce the observance of discipline in compliance with confinement facility rules, to secure the person of a prisoner, and to prevent escape. Private firms under this subsection shall employ inmate disciplinary and grievance policies of the North Carolina Department of Correction."

Requested by: Representative Thompson, Senator Perdue

PRIVATE PRISON SITES

Sec. 20.19. The two 500-bed private confinement facilities awarded to United States Corrections Corporation pursuant to the provisions of G.S. 148-37(g) and State purchasing and contract procedures shall be located at the Pamlico and Avery/Mitchell sites. Construction shall begin by December 31, 1996, at both of these sites.

Requested by: Senators Plyler, Perdue, Odom, Ballance, Rand, Cooper

CORRECTIONAL FACILITIES

Sec. 20.20. Of the funds authorized in this act for correctional facilities, the sum of two million three hundred fifty thousand dollars (\$2,350,000) shall be used for planning and design of facilities as follows:

<u>Facility</u>	<u>Location</u>	<u>Number of Beds</u>	<u>Custody</u>
Central Prison Diagnostic Center	Wake	196	Close
Warren Correctional Institution	Warren	168	Med./Close
Single Cell Facility	Metro Area	520	Close
208 Bed Dorm and Food Service Bldg. - NCCIW	Wake	-	-
Building to Centralize Personnel	Wake	-	-
Single Cell Facility	Scotland	712	Close

Single Cell Facility

Alexander

520

Close

PART 21. DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY**Requested by: Representatives Justus, Thompson, Senators Ballance, Parnell
EXTEND DEPARTMENT OF CRIME CONTROL AND PUBLIC
SAFETY STUDY COMMISSION**

Sec. 21.1. (a) Section 20.4(d) of Chapter 324 of the 1995 Session Laws reads as rewritten:

"(d) The Study Commission shall make an interim report to the 1996 Regular Session of the 1995 General Assembly by May 1, 1996, and shall submit a final written report of its findings and recommendations to the General Assembly by May 1, 1996. 1997 General Assembly. All reports shall be filed with the Speaker of the House of Representatives and the President Pro Tempore of the Senate. Upon filing its final report, the Commission shall terminate."

(b) This section becomes effective April 30, 1996.

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

**STUDY LAW ENFORCEMENT OFFICER COMPENSATION AND
SALARY CONTINUATION FOR RESIDENTIAL FACILITY
EMPLOYEES**

Sec. 21.2. (a) The Office of State Personnel shall study:

- (1) Employee classifications, salary schedules, pay equity, and pay inequities for all sworn law enforcement personnel certified by the North Carolina Criminal Justice Education and Training Standards Commission in every State law enforcement agency. The study shall consider appropriate factors related to the compensation of law enforcement personnel, including job specifications and qualifications required by the Office of State Personnel, the compensation of personnel in accordance with educational levels and years of experience, and the equity of compensation between all State law enforcement agencies.
- (2) The feasibility and desirability of providing salary continuation pursuant to Article 12B of Chapter 143 of the General Statutes for employees of State-operated residential facilities who have been injured by acts of persons housed at the facilities or who have been injured while performing supervisory duties over persons housed at the facilities.
- (3) Issues related to civilianizing certain State government law

enforcement functions and positions, including the appropriate use of nonsworn, noncertified personnel in positions for which sworn status is not cost-effective or required. This study shall include the recommendations made by the Government Performance Audit Committee on civilianization to the 1993 General Assembly.

(b) The Office of State Personnel shall report to the Criminal Law Study Commission on its findings and recommendations related to the studies mandated by this section no later than December 15, 1996.

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

REPORT ON STATE HIGHWAY PATROL POLICY AND PROCEDURES FOR STOPPING MOTORISTS

Sec. 21.3 (a) The Division of the State Highway Patrol, Department of Crime Control and Public Safety, shall report to the Crime Control and Public Safety Study Commission, the Chairs of the House and Senate Appropriations Committees, and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety on the promotional system adopted by the State Highway Patrol on May 15, 1996. The Department shall report on the criteria and qualifications used to rank troopers and supervisors in the system and on the progress of the training process of the system by January 1, 1997. By July 1, 1997, the Department shall report on the implementation of the promotional system, including the number of troopers and supervisors eligible for promotion, the number of troopers and supervisors promoted, and the criteria used to rank each trooper and supervisor promoted under the system.

(b) The Division of the State Highway Patrol, Department of Crime Control and Public Safety, shall report to the Crime Control and Public Safety Study Commission, the Chairs of the House and Senate Appropriations Committees, and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety on the policy, procedures, and guidelines used by the Division in determining which motorists to stop and question, and which vehicles to search, in relation to any suspected illegal activity by November 1, 1996. The Department shall include in its report a review and explanation of the training of the Special Emphasis Team troopers on drug interdiction, including methods, indicators, and profiles used to detect drug traffickers.

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

MAINTAIN BUTNER PUBLIC SAFETY FEES AS GENERAL AVAILABILITY

Sec. 21.4. Effective June 21, 1996, G.S. 122C-411.1 is repealed.

PART 22. JUDICIAL DEPARTMENT

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

ADDITIONAL ASSISTANT DISTRICT ATTORNEYS

Sec. 22. (a) G.S. 7A-60(a1) reads as rewritten:

"(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

Prosecutorial District	Counties	No. of Full-Time Asst. District Attorneys	
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	8	9
2	Beaufort, Hyde, Martin, Tyrrell, Washington	4	5
3A	Pitt	7	8
3B	Carteret, Craven, Pamlico	6	8
4	Duplin, Jones, Onslow, Sampson	10	12
5	New Hanover, Pender	9	11
6A	Halifax	3	4
6B	Bertie, Hertford, Northampton	3	4
7	Edgecombe, Nash, Wilson	10	12
8	Greene, Lenoir, Wayne	8	10
9	Franklin, Granville, Vance, Warren	8	9
9A	Person, Caswell	2	3
10	Wake	20	23
11	Harnett, Johnston, Lee	10	11
12	Cumberland	12	14
13	Bladen, Brunswick, Columbus	6	8
14	Durham	9	10
15A	Alamance	6	7
15B	Orange, Chatham	5	6
16A	Scotland, Hoke	3	4
16B	Robeson	7	8
17A	Rockingham	4	5

17B	Stokes, Surry	4	<u>5</u>
18	Guilford	18	<u>22</u>
19A	Cabarrus	4	<u>5</u>
19B	Montgomery, Randolph	5	
19C	Rowan	4	<u>5</u>
20	Anson, Moore, Richmond, Stanly, Union	12	
21	Forsyth	12	<u>13</u>
22	Alexander, Davidson, Davie, Iredell	11	<u>13</u>
23	Alleghany, Ashe, Wilkes, Yadkin	4	<u>5</u>
24	Avery, Madison, Mitchell, Watauga, Yancey	3	<u>4</u>
25	Burke, Caldwell, Catawba	11	<u>12</u>
26	Mecklenburg	24	<u>29</u>
27A	Gaston	8	<u>10</u>
27B	Cleveland, Lincoln	5	<u>6</u>
28	Buncombe	8	<u>9</u>
29	Henderson, McDowell, Polk, Rutherford, Transylvania	8	<u>10</u>
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain."	6	<u>7</u>

(b) This section becomes effective January 1, 1997.

Requested by: Representatives Justus, Thompson, Senator Ballance
ASSISTANT PUBLIC DEFENDERS

Sec. 22.1. From funds appropriated to the Indigent Persons' Attorney Fee Fund for the 1996-97 fiscal year, the Administrative Office of the Courts may use up to three hundred sixty-five thousand three hundred seventy-six dollars (\$365,376) for salaries, benefits, and related expenses to establish up to 11 new assistant public defenders.

Requested by: Representatives Justus, Thompson, Senator Ballance
RESERVE FOR DRUG TREATMENT COURT PROGRAM

Sec. 22.2. (a) Of the funds appropriated to the Judicial Department in the certified budget for the 1995-96 fiscal year to the Reserve for Court/Drug Treatment Program, established by Section 41 of Chapter 24 of the Session Laws of the 1994 Extra Session, as amended by Section 21.6 of Chapter 507 of the 1995 Session Laws, up to the sum of one hundred seventy-

five thousand dollars (\$175,000) of any balance remaining in the reserve shall not revert, but may be used during the 1996-97 fiscal year for nonrecurring program items.

(b) This section becomes effective June 30, 1996.

Requested by: Representatives Justus, Thompson, Senator Ballance

ANNUAL REPORT ON RECIDIVISM

Sec. 22.3. The Judicial Department, through the North Carolina Sentencing and Policy Advisory Commission, and the Department of Correction shall jointly prepare an annual report on recidivism among criminal offenders. The findings of the report shall be based upon methodology similar to that employed in the May 1, 1996, Recidivism Study that was presented to the Chairs of the House and Senate Appropriations Committees and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety. This methodology shall include tracking of all offenders assigned to community corrections programs or released from prison by fiscal year, beginning with the 1993-94 fiscal year for the first year's report, and then identifying those offenders rearrested within two years or more after assignment to a program or release from prison. Community correction programs to be included in the report are the Treatment Alternatives to Street Crime (TASC), the Community Penalties Program, Community Service, all supervised probation and parole programs, and all community correction programs supervised or funded by the Department of Correction.

As part of this joint project, the Department of Correction shall provide the Sentencing and Policy Advisory Commission with a computerized list of offenders released from prison and offenders entering supervised probation during the specified time period. The list shall include specific offender-identifying information and clearly identify offenders entering community corrections programs supervised or funded by the Department of Correction. The Sentencing and Policy Advisory Commission shall be responsible for matching offenders to Division of Criminal Information (DCI) criminal records and for the production and printing of the final report.

Data collection and report preparation for the first year shall be funded from the sum of four thousand dollars (\$4,000) appropriated to the Judicial Department for the 1996-97 fiscal year for that purpose, and grant funds available to the Department of Correction for the 1996-97 fiscal year, up to the sum of twenty-five thousand dollars (\$25,000). The report shall be due by April 1 of each year.

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

AUTHORIZE ADDITIONAL MAGISTRATES

Sec. 22.4. G.S. 7A-133(c) reads as rewritten:

"(c) Each county shall have the numbers of magistrates and additional seats of district court, as set forth in the following table:

County	Magistrates Min.-Max.		Additional Seats Of Court
Camden	1	2	
Chowan	2	3	
Currituck	1	3	
Dare	3	8	
Gates	2	3	
Pasquotank	3	5	
Perquimans	2	3	
Martin	5	8	
Beaufort	4	8	
Tyrrell	1	3	
Hyde	2	4	
Washington	3	4	
Pitt	10	12	Farmville Ayden
Craven	7	10	Havelock
Pamlico	2	3	
Carteret	5	8	
Sampson	6	8	
Duplin	9	11	
Jones	2	3	
Onslow	8	14	
New Hanover	6	11	
Pender	4	6	
Halifax	9	14	Roanoke Rapids, Scotland Neck
Northampton	5	6 7	
Bertie	4	5 6	
Hertford	5	6	
Nash	7	10	Rocky Mount
Edgecombe	4	6	Rocky Mount
Wilson	4	6	
Wayne	5	11	Mount Olive
Greene	2	4	
Lenoir	4	10	La Grange
Granville	3	7	

Vance	3	<u>5 6</u>	
Warren	3	4	
Franklin	3	6	
Person	3	4	
Caswell	2	5	
Wake	12	20	Apex, Wendell, Fuquay- Varina Wake Forest
Harnett	7	11	Dunn
Johnston	10	12	Benson, Clayton, Selma
Lee	4	6	
Cumberland	10	17	
Bladen	4	6	
Brunswick	4	7	
Columbus	6	8	Tabor City
Durham	8	12	
Alamance	7	10	Burlington
Orange	4	11	Chapel Hill
Chatham	3	8	Siler City
Scotland	3	5	
Hoke	4	5	
Robeson	8	16	Fairmont, Maxton, Pembroke, Red Springs, Rowland, St. Pauls
Rockingham	4	9	Reidsville, Eden, Madison
Stokes	2	5	
Surry	5	9	Mt. Airy
Guilford	20	26	High Point
Cabarrus	5	9	Kannapolis
Montgomery	2	4	
Randolph	5	<u>8 10</u>	Liberty
Rowan	5	10	
Stanly	5	6	
Union	4	6	

Anson	4	5	
Richmond	5	6	Hamlet
Moore	5	8	Southern
			Pines
Forsyth	3	15	Kernersville
Alexander	2	3	
Davidson	7	10	Thomasville
Davie	2	3	
Iredell	4	9	Mooresville
Alleghany	1	2	
Ashe	3	4	
Wilkes	4	6	
Yadkin	3	5	
Avery	3	4	
Madison	4	5	
Mitchell	3	4	
Watauga	4	6	
Yancey	2	4	
Burke	4	7	
Caldwell	4	7	
Catawba	6	10	Hickory
Mecklenburg	15	26	
Gaston	11	20	
Cleveland	5	8	
Lincoln	4	6 7	
Buncombe	6	15	
Henderson	4	6 7	
McDowell	3	5	
Polk	3	4	
Rutherford	6	8	
Transylvania	2	4	
Cherokee	3	4	
Clay	1	2	
Graham	2	3	
Haywood	5	7	Canton
Jackson	3	4	
Macon	3	4	
Swain	2	3."	

Requested by: Senators Odom, Ballance, Cooper, Rand, Representatives Daughtry, Justus, Thompson, Kiser
**FOUR NEW SPECIAL SUPERIOR COURT JUDGES/MAKE
CURRENT SPECIAL SUPERIOR COURT JUDGE TERMS
CONSISTENT**

Sec. 22.6. (a) G.S. 7A-45.1 reads as rewritten:

"§ 7A-45.1. Special judges.

(a) Effective November 1, 1993, the Governor may appoint two special superior court judges to serve terms expiring ~~December 31, 1998~~. September 30, 2000. Successors to the special superior court judges appointed pursuant to this subsection shall be appointed to ~~four-year~~ five-year terms. A special judge takes the same oath of office and is subject to the same requirements and disabilities as are or may be prescribed by law for regular judges of the superior court, save the requirement of residence in a particular district.

(a1) Effective October 1, 1995, the Governor may appoint two special superior court judges to serve terms expiring September 30, 2000. Successors to the special superior court judges appointed pursuant to this subsection shall be appointed to five-year terms. A special judge takes the same oath of office and is subject to the same requirements and disabilities as are or may be prescribed by law for regular judges of the superior court, save the requirement of residence in a particular district.

(a2) Effective December 15, 1996, the Governor may appoint four special superior court judges to serve terms expiring December 14, 2001. Successors to the special superior court judges appointed pursuant to this subsection shall be appointed to five-year terms. A special judge takes the same oath of office and is subject to the same requirements and disabilities as are or may be prescribed by law for regular judges of the superior court, save the requirement of residence in a particular district.

(b) A special judge is subject to removal from office for the same causes and in the same manner as a regular judge of the superior court, and a vacancy occurring in the office of special judge is filled by the Governor by appointment for the unexpired term.

(c) A special judge, in any court in which he is duly appointed to hold, has the same power and authority in all matters that a regular judge holding the same court would have. A special judge, duly assigned to hold the court of a particular county, has during the session of court in that county, in open court and in chambers, the same power and authority of a regular judge in all matters arising in the district or set of districts as defined in G.S. 7A-41.1(a) in which that county is located, that could properly be heard or determined by a regular judge holding the same session of court.

(d) A special judge is authorized to settle cases on appeal and to make all proper orders in regard thereto after the time for which he was commissioned has expired."

(b) Section 24.7 of Chapter 769 of the 1993 Session Laws reads as rewritten:

"Sec. 24.7. Notwithstanding G.S. 7A-45, G.S. 7A-45.1, Section 7 of Chapter 509 of the 1987 Session Laws, or any other provision of law, if any special superior court judge who is holding office on the effective date of this

act first took office as an appointed or elected regular or special superior court judge in the calendar year 1986, the term of that judge is extended through ~~December 31, 1998.~~ September 30, 2000."

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

ADDITIONAL DISTRICT COURT JUDGES

Sec. 22.7. (a) G.S. 7A-133(a) reads as rewritten:

"(a) Each district court district shall have the numbers of judges as set forth in the following table:

District	Judges	County
1	4	Camden Chowan Currituck Dare Gates Pasquotank Perquimans
2	3	Martin Beaufort Tyrrell Hyde Washington
3A	4	Pitt
3B	4	Craven Pamlico Carteret
4	6	Sampson Duplin Jones Onslow
5	6	New Hanover Pender
6A	2	Halifax
6B	3	Northampton Bertie Hertford
7	6	Nash Edgecombe Wilson

8	6	Wayne
		Greene
		Lenoir
9	4	Granville
		(part of Vance
		see subsection (b))
		Franklin
9A	2	Person
		Caswell
9B	1	Warren
		(part of Vance
		see subsection (b))
10	12	Wake
11	6	Harnett
		Johnston
		Lee
12	7 8	Cumberland
13	4	Bladen
		Brunswick
		Columbus
14	5	Durham
15A	3	Alamance
15B	3	Orange
		Chatham
16A	2 3	Scotland
		Hoke
16B	5	Robeson
17A	2	Rockingham
17B	3	Stokes
		Surry
18	11	Guilford
19A	3	Cabarrus
19B	3	Montgomery
		Randolph
19C	3	Rowan
20	7	Stanly
		Union
		Anson
		Richmond
		Moore
21	7	Forsyth
22	7	Alexander
		Davidson

		Davie
		Iredell
23	3 4	Alleghany
		Ashe
		Wilkes
		Yadkin
24	3	Avery
		Madison
		Mitchell
		Watauga
		Yancey
25	7	Burke
		Caldwell
		Catawba
26	14	Mecklenburg
27A	5	Gaston
27B	4	Cleveland
		Lincoln
28	5	Buncombe
29	5	Henderson
		McDowell
		Polk
		Rutherford
		Transylvania
30	4	Cherokee
		Clay
		Graham
		Haywood
		Jackson
		Macon
		Swain."

(b) The Governor shall appoint additional district court judges for District Court Districts 12, 16A, and 23 as authorized by subsection (a) of this section. Those judges' successors shall be elected in the 2000 general election for a four-year term commencing on the first Monday in December 2000.

(c) Subsection (a) of this section becomes effective December 15, 1996, as to any district court district where no county is subject to section 5 of the Voting Rights Act of 1965. As to any district court district where any county is subject to section 5 of the Voting Rights Act of 1965, subsection (a) of this section becomes effective December 15, 1996, or 15 days after the date upon which that subsection is approved under Section 5 of the Voting Rights Act of 1965, whichever is later.

Requested by: Senator Conder, Representative Morgan

DISTRICT COURT JUDGES

Sec. 22.8. (a) Section 2(b) of Chapter 589 of the 1995 Session Laws reads as rewritten:

"(b) ~~Each~~ The district court judgeship held on June 12, 1996, in District Court District 20 by a resident of Moore County (~~Michael Earle Beale and Jayrene Russell Maness~~) is allocated to District Court District 19B. The district court judgeship held on June 12, 1996, in District Court District 20 by a resident of Moore County (Michael Earle Beale) is allocated to District Court District 20. The term of each of these judges expires December 7, 1998. A successor to each judge shall be elected in the 1998 general election."

(b) Section 2(d) of Chapter 589 of the 1995 Session Laws reads as rewritten:

"(d) The effect of subsections (a) through (c) of this section is also to add an additional district court judgeship in District Court District ~~20~~ 19B effective January 1, 1997. The Governor shall appoint a person to fill the vacancy for the remainder of the term expiring the first Monday in December of ~~2000~~ 1998."

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

MECKLENBURG DRUG COURT FUNDING

Sec. 22.9. It is the intent of the General Assembly that the Mecklenburg Drug Court program be funded as a recurring item within the continuation budget.

Requested by: Representatives Holmes, Creech, Esposito, Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

FUNDING FOR SUPERIOR COURT REPORTERS

Sec. 22.10. It is the intent of the General Assembly that funding for superior court reporters remain a part of the continuation budget.

Requested by: Senators Ballance, Odom, Rand, Cooper, Representatives Justus, Thompson, Kiser

DISTRICT COURT REPORTER OPTION

Sec. 22.11. G.S. 7A-198 is amended by adding a new subsection to read:

"(g) A party to a civil trial in district court may request a private agreement from the opposing party or parties to share equally in the cost of a court reporter to be selected from a list provided by the Administrative Office of the Courts. If the opposing party does not consent to share this cost, the requesting party may nevertheless pay to have a court reporter present to record the trial and, in the event that the opposing party appeals the case, that

party shall reimburse the party providing the court reporter in full for the costs incurred for the court reporter's services and transcripts.

In the event that the recording device in a civil trial conducted without a court reporter fails for any reason to provide a reasonably accurate record of the trial for purposes of appeal, then the trial judge shall grant a motion for a new trial made by a losing party whose request pursuant to this section to share the cost of a court reporter was not consented to by the opposing party."

Requested by: Senators Ballance, Rand, Cooper, Representatives Thompson, Justus, Kiser

INDIGENT DEFENSE FUNDS

Sec. 22.12. (a) Of the funds appropriated to the Judicial Department for the 1995-96 fiscal year, the sum of one million dollars (\$1,000,000) shall not revert at the end of the fiscal year but shall remain available for expenditure to cover up to one million dollars (\$1,000,000) of the cost of services provided for indigent defense during the 1995-96 fiscal year.

(b) This section becomes effective June 30, 1996.

Requested by: Senators Rand, Ballance, Cooper, Representatives Justus, Thompson, Kiser

INCREASE FEES IN CRIMINAL CASES IN THE GENERAL COURT OF JUSTICE

Sec. 22.13. (a) G.S. 7A-304(a) reads as rewritten:

"(a) In every criminal case in the superior or district court, wherein the defendant is convicted, or enters a plea of guilty or nolo contendere, or when costs are assessed against the prosecuting witness, the following costs shall be assessed and collected, except that when the judgment imposes an active prison sentence, costs shall be assessed and collected only when the judgment specifically so provides, and that no costs may be assessed when a case is dismissed.

- (1) For each arrest or personal service of criminal process, including citations and subpoenas, the sum of five dollars (\$5.00), to be remitted to the county wherein the arrest was made or process was served, except that in those cases in which the arrest was made or process served by a law-enforcement officer employed by a municipality, the fee shall be paid to the municipality employing the officer.
- (2) For the use of the courtroom and related judicial facilities, the sum of six dollars (\$6.00) in the district court, including cases before a magistrate, and the sum of twenty-four dollars (\$24.00) in superior court, to be remitted to the county in which the judgment is rendered. In all cases where the judgment is rendered in facilities provided by a municipality,

the facilities fee shall be paid to the municipality. Funds derived from the facilities fees shall be used exclusively by the county or municipality for providing, maintaining, and constructing adequate courtroom and related judicial facilities, including: adequate space and furniture for judges, district attorneys, public defenders, magistrates, juries, and other court related personnel; office space, furniture and vaults for the clerk; jail and juvenile detention facilities; free parking for jurors; and a law library (including books) if one has heretofore been established or if the governing body hereafter decides to establish one. In the event the funds derived from the facilities fees exceed what is needed for these purposes, the county or municipality may, with the approval of the Administrative Officer of the Courts as to the amount, use any or all of the excess to retire outstanding indebtedness incurred in the construction of the facilities, or to reimburse the county or municipality for funds expended in constructing or renovating the facilities (without incurring any indebtedness) within a period of two years before or after the date a district court is established in such county, or to supplement the operations of the General Court of Justice in the county.

- (3) For the retirement and insurance benefits of both State and local government law-enforcement officers, the sum of seven dollars and twenty-five cents (\$7.25), to be remitted to the State Treasurer. Fifty cents (50¢) of this sum shall be administered as is provided in Article 12C of Chapter 143 of the General Statutes. Five dollars and seventy-five cents (\$5.75) of this sum shall be administered as is provided in Article 12E of Chapter 143 of the General Statutes, with one dollar and twenty-five cents (\$1.25) being administered in accordance with the provisions of G.S. 143-166.50(e). One dollar (\$1.00) of this sum shall be administered as is provided in Article 12F of Chapter 143 of the General Statutes.
- (3a) For the supplemental pension benefits of sheriffs, the sum of seventy-five cents (75¢), to be remitted to the Department of Justice and administered under the provisions of Article 12G of Chapter 143 of the General Statutes.
- (4) For support of the General Court of Justice, the sum of ~~forty-one dollars (\$41.00)~~ forty-six dollars (\$46.00) in the district court, including cases before a magistrate, and the sum of ~~forty-eight dollars (\$48.00)~~ fifty-three dollars (\$53.00) in the superior court, to be remitted to the State Treasurer.
- (5) For using pretrial release services, the district or superior court

judge shall, upon conviction, impose a fee of fifteen dollars (\$15.00) to be remitted to the county providing the pretrial release services. This cost shall be assessed and collected only if the defendant had been accepted and released to the supervision of the agency providing the pretrial release services.

- (6) For support of the General Court of Justice, for the issuance by the clerk of a report to the Division of Motor Vehicles pursuant to G.S. 20-24.2, the sum of fifty dollars (\$50.00), to be remitted to the State Treasurer. Upon a showing to the court that the defendant failed to appear because of an error or omission of a judicial official, a prosecutor, or a law-enforcement officer, the court shall waive this fee."

(b) Subsection (a) of this section becomes effective September 1, 1996, and applies to fees assessed or paid on or after that date.

Requested by: Representatives Justus, Thompson, Grady, Kiser, Senators Ballance, Rand, Cooper

CLERK OF SUPERIOR COURT COMPENSATION STUDY

Sec. 22.14. The Administrative Office of the Courts shall study the position classification and pay plan of the Office of the Clerk of Superior Court. The study shall provide recommendations on the appropriate qualifications and compensation of deputy and assistant clerks for the proper functioning of the Office of the Clerk of Superior Court, and shall include a review of current job classes and any potential new classes. The Administrative Office of the Courts shall report the results of this study and its recommendations to the Chairs of the House and Senate Appropriations Committees and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety by March 1, 1997.

PART 23. DEPARTMENT OF JUSTICE

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

AUTHORIZATION OF FICTITIOUS LICENSES AND REGISTRATION PLATES ON PUBLICLY OWNED MOTOR VEHICLES

Sec. 23. (a) G.S. 20-39(h) reads as rewritten:

"(h) The Commissioner, notwithstanding any other provision of this Chapter, may lawfully and to the extent necessary, provide local, State or federal law-enforcement officers on special undercover assignments with motor vehicle drivers licenses and motor vehicle registration plates under assumed names using false or fictitious addresses. Such registration plates

shall only be used on publicly owned or leased vehicles. Requests for these licenses and registration plates shall be made to the Commissioner by the head of the local, State or federal law-enforcement agency and be accompanied by approval in writing from the Director of the State Bureau of Investigation upon a specific finding by the Director that the request is justified and necessary. The Director shall keep a record of all such licenses, registration plates, assumed names, false or fictitious addresses, and law-enforcement officers using the licenses or registration plates, and shall request the immediate return of any license or registration plate that is no longer necessary. Licenses and registration plates provided under this subsection shall expire six months after initial issuance or subsequent validation after the request for extension has been approved in writing by the Director of the State Bureau of Investigation. The head of the local, State or federal law-enforcement agency shall be responsible for the use of the licenses and registration plates and shall return them immediately to the Commissioner for cancellation upon either (i) their expiration, (ii) request of the Director of the State Bureau of Investigation, or (iii) request of the Commissioner. Failure to return a license or registration plates issued pursuant to this subsection shall be punished as a Class 2 misdemeanor. At no time shall the number of valid licenses and registration plates issued under this act exceed ~~fifty~~, one hundred, and those issued shall be strictly monitored by the Director. All of the private registration plates issued to special agents of the State Bureau of Investigation under the Department of Justice and to alcohol law enforcement agents under the Department of Crime Control and Public Safety, pursuant to G.S. 14-250, may be fictitious plates and shall not be counted in the total number of fictitious plates authorized by this subsection."

(b) The Joint Legislative Commission on Governmental Operations shall study the statutory authorization of the use of private, confidential, and fictitious license plates on State-owned motor vehicles and the administration and enforcement of the applicable statutes. The Commission shall report the results of its study to the 1997 General Assembly.

(c) Subsection (a) of this section expires June 30, 1997.

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

FINGERPRINT, PHOTOGRAPH, AND RETAIN JURISDICTION OF DELINQUENT JUVENILES

Sec. 23.2. (a) Article 48 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"§ 7A-603. Fingerprinting and photographing delinquent juveniles.

(a) A juvenile shall be fingerprinted and photographed by a law enforcement officer or agency upon adjudication of the juvenile as a delinquent pursuant to G.S. 7A-637 if the juvenile was 10 years of age or older

at the time the juvenile allegedly committed an offense that would be a Class A, B, C, D, or E felony if committed by an adult. Upon adjudication, the court shall order the juvenile be fingerprinted and photographed in a proper format for transfer to the State Bureau of Investigation.

(b) Fingerprints obtained pursuant to this section shall be transferred to the State Bureau of Investigation in a format approved by the State Bureau of Investigation and placed in the Automated Fingerprint Identification System (AFIS) to be used for all investigative and comparison purposes. Photographs shall be placed in a format approved by the State Bureau of Investigation and may be used for all investigative or comparison purposes.

(c) Fingerprints and photographs taken pursuant to this section are not public records under Chapter 132 of the General Statutes, shall not be included in the clerk's record pursuant to G.S. 7A-675, shall be maintained separately from any juvenile record, shall be withheld from public inspection or examination, and shall not be eligible for expunction pursuant to G.S. 7A-676."

(b) G.S. 15A-502(c) reads as rewritten:

"(c) This section does not authorize the taking of photographs or fingerprints of a juvenile alleged to be delinquent except under G.S. 7A-596 through ~~7A-601~~, 7A-601 and 7A-603."

(c) G.S. 7A-523 reads as rewritten:

"§ 7A-523. Jurisdiction.

(a) The court has exclusive, original jurisdiction over any case involving a juvenile who is alleged to be delinquent, undisciplined, abused, neglected, or dependent. This jurisdiction does not extend to cases involving adult defendants alleged to be guilty of abuse or neglect. For purposes of determining jurisdiction, with the exception of (c) below, the age of the juvenile either at the time of the alleged offense or when the conditions causing the juvenile to be abused, neglected, or dependent arose, governs. There is no minimum age for juveniles alleged to be abused, dependent or neglected. For juveniles alleged to be delinquent or undisciplined, the minimum age is six years of age.

The court also has exclusive original jurisdiction of the following proceedings:

- (1) Proceedings under the Interstate Compact on Juveniles and the Interstate Parole and Probation Hearing Procedures for Juveniles;
- (2) Proceedings to determine whether a juvenile who is on conditional release and under the aftercare supervision of the court counselor has violated the terms of ~~his~~ the juvenile's conditional release established by the Division of Youth Services;
- (3) Proceedings involving judicial consent for emergency surgical

or medical treatment for a juvenile when ~~his~~ the juvenile's parent, guardian, legal custodian, or other person standing in loco parentis refuses to consent for treatment to be rendered;

- (4) Proceedings to determine whether a juvenile should be emancipated;
- (5) Proceedings to terminate parental rights;
- (6) Proceedings to review the placement of a juvenile in foster care pursuant to an agreement between the juvenile's parents or guardian and a county department of social services;
- (7) Proceedings in which a person is alleged to have obstructed or interfered with an investigation required by G.S. 7A-544.
- (8) Proceedings involving consent for an abortion on an unemancipated minor pursuant to Article 1A, Part 2 of Chapter 90 of the General Statutes.

(b) The court shall have jurisdiction over the parent of a juvenile who has been adjudicated delinquent, undisciplined, abused, neglected or dependent, as provided by G.S. 7A-564, provided the parent has been properly served with notice pursuant to G.S. 7A-564.

(c) When the court has not obtained jurisdiction over a juvenile before the juvenile reaches the age of eighteen, for a felony and any related misdemeanors the juvenile allegedly committed on or after the juvenile's thirteenth birthday and prior to the juvenile's sixteenth birthday, the court has jurisdiction for the sole purpose of conducting proceedings pursuant to Article 49 of this Chapter and either transferring the case to superior court for trial as an adult or dismissing the petition."

(d) G.S. 7A-524 reads as rewritten:

"§7A-524. Retention of jurisdiction.

When the court obtains jurisdiction over a juvenile, jurisdiction shall continue until terminated by order of the court or until ~~he~~ the juvenile reaches ~~his eighteenth birthday, the age of eighteen.~~ When delinquency proceedings cannot be concluded before the juvenile reaches the age of eighteen, the court retains jurisdiction for the sole purpose of conducting proceedings pursuant to Article 49 of this Chapter and either transferring the case to superior court for trial as an adult or dismissing the petition. Any juvenile who is under the jurisdiction of the court and commits a criminal offense after ~~his~~ the juvenile's sixteenth birthday is subject to prosecution as an adult. Any juvenile who is transferred to and sentenced by the superior court for a felony offense shall be prosecuted as an adult for all other crimes alleged to have been committed by ~~him~~ the juvenile while ~~he~~ the juvenile is under the active supervision of the superior court. Nothing herein shall be construed to divest the court of jurisdiction in abuse, neglect, or dependency proceedings."

(e) G.S. 7A-655 reads as rewritten:

"§7A-655. Conditional release and final discharge.

The Division of Youth Services shall release a juvenile either by conditional release or by final discharge. The decision as to which type of release is appropriate shall be made by the Director based on the needs of the juvenile and the best interests of the State under rules and regulations governing release which shall be promulgated by the Division of Youth Services, according to the following guidelines:

(1) Conditional release is appropriate for a juvenile needing supervision after leaving the institution. As part of the prerelease planning process, the terms of conditional release shall be set out in writing and a copy given to the juvenile, ~~his~~ the juvenile's parent, the committing court, and the court counselor who will provide aftercare supervision. The time that a juvenile spends on conditional release shall be credited toward ~~his~~ the juvenile's maximum period of commitment to the Division of Youth Services.

(2) Final discharge is appropriate when the juvenile does not require supervision, has completed a maximum commitment for ~~his~~ the juvenile's offense, or is 18 years of age.

(3) Notwithstanding G.S. 7A-675, before the Division of Youth Services considers for release a juvenile who is serving a commitment for a Class A or B1 felony, the Division shall notify, at least 30 days in advance of considering the release, by first class mail at the last known address:

- a. The juvenile;
- b. The juvenile's parent, guardian, or custodian;
- c. The district attorney of the district where the juvenile was adjudicated;
- d. The head law enforcement agency that took the juvenile into custody; and
- e. The victim, and any of the victim's immediate family members who have requested in writing to be notified
The notification shall include only the juvenile's name, offense, date of commitment, and date of consideration for release."

(f) Subsections (a) and (b) of this section become effective October 1, 1996, and apply to offenses committed on or after that date. Subsection (d) of this section is effective upon ratification and applies to all cases pending on that date. Subsection (e) of this section becomes effective October 1, 1996, and applies to juveniles considered for release on or after that date. The remainder of this section is effective upon ratification.

Requested by: Senators Ballance, Rand, Cooper, Representatives Justus, Thompson, Kiser

ESTABLISH CRIMINAL JUSTICE INFORMATION NETWORK GOVERNING BOARD

Sec. 23.3. (a) Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 69.

"Criminal Justice Information Network Governing Board.

"§ 143-660. Definitions.

As used in this Article:

- (1) 'Board' means the Criminal Justice Information Network Governing Board established by G.S. 143-661.
- (2) 'Local government user' means a unit of local government of this State having authorized access to the Network.
- (3) 'Network' means the Criminal Justice Information Network established by the Board pursuant to this Article.
- (4) 'Network user' or 'user' means any person having authorized access to the Network.
- (5) 'State agency' means any State department, agency, institution, board, commission, or other unit of State government.

"§ 143-661. Criminal Justice Information Network Governing Board -- creation; purpose; membership; conflicts of interest.

(a) The Criminal Justice Information Network Governing Board is established within the Department of Justice, State Bureau of Investigation, to operate the State's Criminal Justice Information Network, the purpose of which shall be to provide the governmental and technical information systems infrastructure necessary for accomplishing State and local governmental public safety and justice functions in the most effective manner by appropriately and efficiently sharing criminal justice information among law enforcement, judicial, and corrections agencies. The Board is established within the Department of Justice, State Bureau of Investigation, for organizational and budgetary purposes only and the Board shall exercise all of its statutory powers in this Article independent of control by the Department of Justice.

(b) The Board shall consist of 15 members, appointed as follows:

- (1) Three members appointed by the Governor, including one member who is a director or employee of a State correction agency for a term to begin September 1, 1996 and to expire on June 30, 1997, one member who is an employee of the North Carolina Department of Crime Control and Public Safety for a term beginning September 1, 1996 and to expire on June 30, 1997, and one member selected from the North Carolina Association of Chiefs of Police for a term to begin September 1, 1996 and to expire on June 30, 1999.
- (2) Six members appointed by the General Assembly in accordance with G.S. 120-121, as follows:

- a. Three members recommended by the President Pro Tempore of the Senate, including two members of the general public for terms to begin on September 1, 1996 and to expire on June 30, 1997, and one member selected from the North Carolina League of Municipalities who is a member of, or an employee working directly for, the governing board of a North Carolina municipality for a term to begin on September 1, 1996 and to expire on June 30, 1999; and
- b. Three members recommended by the Speaker of the House of Representatives, including two members of the general public for terms to begin on September 1, 1996 and to expire on June 30, 1999, and one member selected from the North Carolina Association of County Commissioners who is a member of, or an employee working directly for, the governing board of a North Carolina county for a term to begin on September 1, 1996 and to expire on June 30, 1997.
- (3) Two members appointed by the Attorney General, including one member who is an employee of the Attorney General for a term to begin on September 1, 1996 and to expire on June 30, 1997, and one member from the North Carolina Sheriffs' Association for a term to begin on September 1, 1996 and to expire on June 30, 1999.
- (4) Two members appointed by the Chief Justice of the North Carolina Supreme Court, including the Director or an employee of the Administrative Office of the Courts for a term to begin on September 1, 1996 and to expire on June 30, 1997, and one member who is either a clerk of the superior court or a district attorney, or employee of a district attorney, for a term to begin on September 1, 1996 and to expire on June 30, 1999.
- (5) One member appointed by the Chair of the Information Resource Management Commission, who is the Chair or a member of that Commission, for a term to begin on September 1, 1996 and to expire on June 30, 1999.
- (6) One member appointed by the President of the North Carolina Chapter of the Association of Public Communications Officials International, who is an active member of the Association, for a term to begin on September 1, 1996 and to expire on June 30, 1999.

The respective appointing authorities are encouraged to appoint persons having a background in and familiarity with criminal information systems and

networks generally and with the criminal information needs and capacities of the constituency from which the member is appointed.

As the initial terms expire, subsequent members of the Board shall be appointed to serve four-year terms. At the end of a term, a member shall continue to serve on the Board until a successor is appointed. A member who is appointed after a term is begun serves only for the remainder of the term and until a successor is appointed. Any vacancy in the membership of the Board shall be filled by the same appointing authority that made the appointment, except that vacancies among members appointed by the General Assembly shall be filled in accordance with G.S. 120-122.

(c) Members of the Board shall not be employed by or serve on the board of directors or other corporate governing body of any information systems, computer hardware, computer software, or telecommunications vendor of goods and services to the State or to any unit of local government in the State. No member of the Board shall vote on an action affecting solely the member's own State agency or local governmental unit or specific judicial office.

"§ 143-662. Compensation and expenses of Board members; travel reimbursements.

Members of the Board shall serve without compensation but may receive travel and subsistence as follows:

- (1) Board members who are officials or employees of a State agency or unit of local government, in accordance with G.S. 138-6.
- (2) All other Board members, at the rate established in G.S. 138-5.

"§ 143-663. Powers and duties.

(a) The Board shall have the following powers and duties:

- (1) To establish and operate the Network as an integrated system of State and local government components for effectively and efficiently storing, communicating, and using criminal justice information at the State and local levels throughout North Carolina's law enforcement, judicial, and corrections agencies, with the components of the Network to include electronic devices, programs, data, and governance and to set the Network's policies and procedures.
- (2) To develop and adopt uniform standards and cost-effective information technology, after thorough evaluation of the capacity of information technology to meet the present and future needs of the State and, in consultation with the Information Resource Management Commission, to develop and adopt standards for entering, storing, and transmitting information in criminal justice databases and for achieving maximum compatibility among user technologies.

- (3) To identify the funds needed to establish and maintain the Network, identify public and private sources of funding, and secure funding to:
 - a. Create the Network and facilitate the sharing of information among users of the Network; and
 - b. Make grants to local government users to enable them to acquire or improve elements of the Network that lie within the responsibility of their agencies or State agencies; provided that the elements developed with the funds must be available for use by the State or by local governments without cost and the applicable State agencies join in the request for funding.
- (4) To provide assistance to local governments for the financial and systems planning for Network-related automation and to coordinate and assist the Network users of this State in soliciting bids for information technology hardware, software, and services in order to assure compliance with the Board's technical standards, to gain the most advantageous contracts for the Network users of this State, and to assure financial accountability where State funds are used.
- (5) To provide a liaison among local government users and to advocate on behalf of the Network and its users in connection with legislation affecting the Network.
- (6) To facilitate the sharing of knowledge about information technologies among users of the Network.
- (7) To take any other appropriate actions to foster the development of the Network.

(b) All grants or other uses of funds appropriated or granted to the Board shall be conditioned on compliance with the Board's technical and other standards.

"§ 143-664. Election of officers; meetings; staff, etc.

(a) The Governor shall call the first meeting of the Board. At the first meeting, the Board shall elect a chair and a vice-chair, each to serve a one-year term, with subsequent officers to be elected for one-year terms. The Board shall hold at least two regular meetings each year, as provided by policies and procedures adopted by the Board. The Board may hold additional meetings upon the call of the chair or any three Board members. A majority of the Board membership constitutes a quorum.

(b) Pending permanent staffing, the Department shall provide the Board with professional and clerical staff and any additional support the Board needs to fulfill its mandate. The Board may meet in an area provided by the Department of Justice and the Board's staff shall use space provided by the Department."

(b) G.S. 143B-426.21(a) is amended by adding a new subdivision to read:

"(9) The Chair of the Criminal Justice Information Network Governing Board."

(c) The Criminal Justice Information Network Governing Board shall report by April 1, 1997, to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the organization, operations, and expenditures of the Board, including the Board's progress in developing data-sharing standards, the progress in the coordination and cooperation of State and local agencies in establishing standards, the Board's recommendations on permanent staffing needs, and the estimated time of completion of the standards. The Board shall also provide a long-term strategic plan and cost analysis for statewide implementation of the Criminal Justice Information Network as well as a report on the State and local law enforcement agencies' implementation of the mobile data network system, including the amount of funds spent on the system as of the date of the report and the long-term costs of implementing the system statewide.

(d) Of the funds appropriated in this act to the reserve for the Criminal Justice Information Network Governing Board, the sum of three hundred thousand dollars (\$300,000) shall be used to fund the development of data standards for the Network and the sum of one hundred thousand dollars (\$100,000) shall be used to support the operation of the Board, including staff salaries, benefits, and related expenses. Funds appropriated to the reserve for the Criminal Justice Information Network Governing Board shall not revert.

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper, Plexico

REPAIRS AND RENOVATIONS OF THE WESTERN JUSTICE ACADEMY

Sec. 23.4. (a) The Department of Justice, in consultation with the Office of State Construction of the Department of Administration, shall contract for and supervise all aspects of administration, technical assistance, design, construction, or demolition of facilities in order to implement the repairs and renovations of the Western Justice Academy under the provisions of this section without being subject to the following statutes and rules implementing those statutes: G.S. 143-135.26, 143-131, 143-132, 113A-1 through 113A-10, 113A-50 through 113A-66, and 133-1.1(g). The Department of Justice shall let contracts for all repairs and renovations of the Academy as soon as possible, but not later than December 1, 1996.

The Department of Justice shall have a verifiable ten percent (10%) goal for participation by minority and women-owned businesses. All contracts for the design, construction, or demolition of facilities shall include a penalty

for failure to complete the work by a specified date.

(b) The Department of Justice shall provide quarterly reports to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety, the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division on the repairs and renovations to the Western Justice Academy. The report shall include information on which contractors have been selected, what contracts have been entered into, and the projected and actual cost of the project.

(c) Of the funds allocated in this act to the Office of State Budget and Management from the Repairs and Renovations Fund, up to six million dollars (\$6,000,000) may be used by the Department of Justice to implement this section.

PART 24. DEPARTMENT OF HUMAN RESOURCES

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

MEDICAID

Sec. 24. Section 23.14 of Chapter 324, 1995 Session Laws, reads as rewritten:

"Sec. 23.14. (a) Funds appropriated in this act for services provided in accordance with Title XIX of the Social Security Act (Medicaid) are for both the categorically needy and the medically needy. Funds appropriated for these services shall be expended in accordance with the following schedule of services and payment bases. All services and payments are subject to the language at the end of this subsection.

Services and payment bases:

- (1) Hospital-Inpatient - Payment for hospital inpatient services will be prescribed in the State Plan as established by the Department of Human Resources. Administrative days for any period of hospitalization shall be limited to a maximum of three days.
- (2) Hospital-Outpatient - Eighty percent (80%) of allowable costs or a prospective reimbursement plan as established by the Department of Human Resources.
- (3) Nursing Facilities - Payment for nursing facility services will be prescribed in the State Plan as established by the Department of Human Resources. Nursing facilities providing services to Medicaid recipients who also qualify for Medicare, must be enrolled in the Medicare program as a condition of participation in the Medicaid program. State facilities are not subject to the requirement to enroll in the Medicare program.

- (4) Intermediate Care Facilities for the Mentally Retarded - As prescribed in the State Plan as established by the Department of Human Resources.
- (5) Drugs - Drug costs as allowed by federal regulations plus a professional services fee per month excluding refills for the same drug or generic equivalent during the same month. Reimbursement shall be available for up to six prescriptions per recipient, per month, including refills. Payments for drugs are subject to the provisions of subsection (f) of this section and to the provisions at the end of subsection (a) of this section, or in accordance with the State Plan adopted by the Department of Human Resources consistent with federal reimbursement regulations. Payment of the professional services fee shall be made in accordance with the Plan adopted by the Department of Human Resources, consistent with federal reimbursement regulations. The professional services fee shall be five dollars and sixty cents (\$5.60) per prescription. Adjustments to the professional services fee shall be established by the General Assembly.
- (6) Physicians, Chiropractors, Podiatrists, Optometrists, Dentists, Certified Nurse Midwife Services - Fee schedules as developed by the Department of Human Resources. Payments for dental services are subject to the provisions of subsection (g) of this section.
- (7) Community Alternative Program, EPSDT Screens -Payment to be made in accordance with rate schedule developed by the Department of Human Resources.
- (8) Home Health and Related Services, Private Duty Nursing, Clinic Services, Prepaid Health Plans, Durable Medical Equipment - Payment to be made according to reimbursement plans developed by the Department of Human Resources.
- (9) Medicare Buy-In - Social Security Administration premium.
- (10) Ambulance Services - Uniform fee schedules as developed by the Department of Human Resources.
- (11) Hearing Aids - Actual cost plus a dispensing fee.
- (12) Rural Health Clinic Services - Provider-based -reasonable cost; nonprovider based - single cost reimbursement rate per clinic visit.
- (13) Family Planning - Negotiated rate for local health departments. For other providers - see specific services, for instance, hospitals, physicians.
- (14) Independent Laboratory and X-Ray Services - Uniform fee schedules as developed by the Department of Human Resources.

- (15) Optical Supplies - One hundred percent (100%) of reasonable wholesale cost of materials.
- (16) Ambulatory Surgical Centers - Payment as prescribed in the reimbursement plan established by the Department of Human Resources.
- (17) Medicare Crossover Claims - An amount up to the actual coinsurance or deductible or both, in accordance with the Plan, as approved by the Department of Human Resources.
- (18) Physical Therapy and Speech Therapy - Services limited to EPSDT eligible children. Payments are to be made only to the Children's Special Health Services program qualified providers at rates negotiated by the Department of Human Resources.
- (19) Personal Care Services - Payment in accordance with Plan approved by the Department of Human Resources.
- (20) Case Management Services - Reimbursement in accordance with the availability of funds to be transferred within the Department of Human Resources.
- (21) Hospice - Services may be provided in accordance with Plan developed by the Department of Human Resources.
- (22) Other Mental Health Services - Unless otherwise covered by this section, coverage is limited to agencies meeting the requirements of the rules established by the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services, and reimbursement is made in accordance with a Plan developed by the Department of Human Resources not to exceed the upper limits established in federal regulations.
- (23) Medically Necessary Prosthetics or Orthotics for EPSDT Eligible Children - Reimbursement in accordance with Plan approved by the Department of Human Resources.
- (24) Health Insurance Premiums - Payments to be made in accordance with the Plan adopted by the Department of Human Resources consistent with federal regulations.
- (25) Medical Care/Other Remedial Care - Services not covered elsewhere in this section include related services in schools; health professional services provided outside the clinic setting to meet maternal and infant health goals; and services to meet federal EPSDT mandates. Services addressed by this paragraph are limited to those prescribed in the State Plan as established by the Department of Human Resources. Providers of these services must be certified as meeting program standards of the Department of Environment, Health,

and Natural Resources.

(26) **Pregnancy Related Services** - Covered services for pregnant women shall include nutritional counseling, psychosocial counseling, and predelivery and postpartum home visits by maternity care coordinators and public health nurses.

Services and payment bases may be changed with the approval of the Director of the Budget.

Reimbursement is available for up to 24 visits per recipient per year to any one or combination of the following: physicians, clinics, hospital outpatient, optometrists, chiropractors, and podiatrists. Prenatal services, all EPSDT children, and emergency rooms are exempt from the visit limitations contained in this paragraph. Exceptions may be authorized by the Department of Human Resources where the life of the patient would be threatened without such additional care. Any person who is determined by the Department to be exempt from the 24-visit limitation may also be exempt from the six-prescription limitation.

(b) **Allocation of Nonfederal Cost of Medicaid.** The State shall pay eighty-five percent (85%); the county shall pay fifteen percent (15%) of the nonfederal costs of all applicable services listed in this section.

(c) **Copayment for Medicaid Services.** The Department of Human Resources may establish copayment up to the maximum permitted by federal law and regulation.

(d) **Medicaid and Aid to Families With Dependent Children Income Eligibility Standards.** The maximum net family annual income eligibility standards for Medicaid and Aid to Families with Dependent Children, and the Standard of Need for Aid to Families with Dependent Children shall be as follows:

<u>Categorically Needy</u>		<u>Medically Needy</u>	
<u>Family Size</u>	<u>Standard of Need</u>	<u>AFDC Payment Level*</u>	<u>AA, AB, AD*</u>
1	\$ 4,344	\$ 2,172	\$ 2,900
2	5,664	2,832	3,800
3	6,528	3,264	4,400
4	7,128	3,564	4,800
5	7,776	3,888	5,200
6	8,376	4,188	5,600
7	8,952	4,476	6,000
8	9,256	4,680	6,300

*Aid to Families With Dependent Children (AFDC); Aid to the Aged (AA); Aid to the Blind (AB); and Aid to the Disabled (AD).

The payment level for Aid to Families With Dependent Children shall be fifty percent (50%) of the standard of need.

These standards may be changed with the approval of the Director of the Budget with the advice of the Advisory Budget Commission.

(e) All Elderly, Blind, and Disabled Persons who receive Supplemental Security Income are eligible for Medicaid coverage.

(f) ICF and ICF/MR Work Incentive Allowances. The Department of Human Resources may provide an incentive allowance to Medicaid-eligible recipients of ICF and ICF/MR facilities who are regularly engaged in work activities as part of their developmental plan and for whom retention of additional income contributes to their achievement of independence. The State funds required to match the federal funds that are required by these allowances shall be provided from savings within the Medicaid budget or from other unbudgeted funds available to the Department. The incentive allowances may be as follows:

Monthly Net Wages

Monthly Incentive Allowance

\$ 1.00 to \$100.99

Up to \$50.00

\$101.00 - \$200.99

\$80.00

\$201.00 to \$300.99

\$130.00

\$301.00 and greater

\$212.00.

(g) Dental Coverage Limits. Dental services shall be provided on a restricted basis in accordance with rules adopted by the Department to implement this subsection.

(h) Dispensing of Generic Drugs. Notwithstanding G.S. 90-85.27 through G.S. 90-85.31, under the Medical Assistance Program (Title XIX of the Social Security Act) a prescription order for a drug designated by a trade or brand name shall be considered to be an order for the drug by its established or generic name, except when the prescriber personally indicates, either orally or in his own handwriting on the prescription order, 'dispense as written' or words of similar meaning. Generic drugs, when available in the pharmacy, shall be dispensed at a lower cost to the Medical Assistance Program rather than trade or brand name drugs, subject to the prescriber's 'dispense as written' order as noted above.

As used in this subsection 'brand name' means the proprietary name the manufacturer places upon a drug product or on its container, label, or wrapping at the time of packaging; and 'established name' has the same meaning as in section 502(e)(3) of the Federal Food, Drug, and Cosmetic Act as amended, 21 U.S.C. § 352(e)(3).

(i) Exceptions to Service Limitations, Eligibility Requirements, and Payments. Service limitations, eligibility requirements, and payments bases

in this section may be waived by the Department of Human Resources, with the approval of the Director of the Budget, to allow the Department to carry out pilot programs for prepaid health plans, managed care plans, or community-based services programs in accordance with plans approved by the United States Department of Health and Human Services, or when the Department determines that such a waiver will result in a reduction in the total Medicaid costs for the recipient.

(j) Volume Purchase Plans and Single Source Procurement. The Department of Human Resources, Division of Medical Assistance, may, subject to the approval of a change in the State Medicaid Plan, contract for services, medical equipment, supplies, and appliances by implementation of volume purchase plans, single source procurement, or other similar processes in order to improve cost containment.

(k) Cost Containment Programs. The Department of Human Resources, Division of Medical Assistance, may undertake cost containment programs including preadmissions to hospitals and prior approval for certain outpatient surgeries before they may be performed in an inpatient setting.

(l) For all Medicaid eligibility classifications for which the federal poverty level is used as an income limit for eligibility determination, the income limits will be updated each April 1 immediately following publication of federal poverty guidelines.

(m) The Department of Human Resources shall provide Medicaid to 19-, 20-, and 21-year olds in accordance with federal rules and regulations.

(n) The Department of Human Resources shall provide coverage to pregnant women and to children according to the following schedule:

(1) Pregnant women with incomes equal to or less than one hundred eighty-five percent (185%) of the federal poverty guidelines as revised each April 1 shall be covered for Medicaid ~~benefits;~~ benefits.

(2) Infants under the age of 1 with family incomes equal to or less than one hundred eighty-five percent (185%) of the federal poverty guidelines as revised each April 1 shall be covered for Medicaid ~~benefits;~~ benefits.

(3) Children aged 1 through 5 with family incomes equal to or less than one hundred thirty-three percent (133%) of the federal poverty guidelines as revised each April 1 shall be covered for Medicaid ~~benefits;~~ benefits.

(4) Children aged 6 through 18 with family incomes equal to or less than the federal poverty guidelines as revised each April 1 shall be covered for Medicaid benefits. ~~Services to pregnant women eligible under this section continue throughout the pregnancy but include only those related to pregnancy and to those other conditions determined by the Department as~~

~~conditions that may complicate pregnancy. In order to reduce county administrative costs and to expedite the provision of medical services to pregnant women, to infants, and to children eligible under this section, no resources test shall be applied; and~~

- (5) The Department of Human Resources shall provide Medicaid coverage for adoptive children with special or rehabilitative needs regardless of the adoptive family's income.

Services to pregnant women eligible under this subsection continue throughout the pregnancy but include only those related to pregnancy and to those other conditions determined by the Department as conditions that may complicate pregnancy. In order to reduce county administrative costs and to expedite the provision of medical services to pregnant women, to infants, and to children described in subdivisions (3) and (4) of this subsection, no resources test shall be applied.

(o) The Department of Human Resources may use Medicaid funds budgeted from program services to support the cost of administrative activities to the extent that these administrative activities produce a net savings in services requirements. Administrative initiatives funded by this section shall be first approved by the Office of State Budget and Management.

(p) The Department of Human Resources shall submit a monthly status report on expenditures for acute care and long-term care services to the Fiscal Research Division and to the Office of State Budget and Management. This report shall include an analysis of budgeted versus actual expenditures for eligibles by category and for long-term care beds. In addition, the Department shall revise the program's projected spending for the current fiscal year and the estimated spending for the subsequent fiscal year on a quarterly basis. Reports for the preceding month shall be forwarded to the Fiscal Research Division and to the Office of State Budget and Management no later than the third Thursday of the month.

(q) The Division of Medical Assistance, Department of Human Resources, may provide incentives to counties that successfully recover fraudulently spent Medicaid funds by sharing State savings with counties responsible for the recovery of the fraudulently spent funds.

(r) If first approved by the Office of State Budget and Management, the Division of Medical Assistance, Department of Human Resources, may use funds that are identified to support the cost of development and acquisition of equipment and software through contractual means to improve and enhance information systems that provide management information and claims processing.

(s) The Division of Medical Assistance, Department of Human Resources, may administer Medicaid estate recovery mandated by the Omnibus Budget Reconciliation Act of 1993, (OBRA 1993), 42 U.S.C. § 1396p(b), and G.S.

108-70.5 using temporary rules pending approval of final rules promulgated pursuant to Chapter 150B of the General Statutes.

(t) The Department of Human Resources may adopt temporary rules according to the procedures established in G.S. 150B-21.1 when it finds that such rules are necessary to maximize receipt of federal funds, to reduce Medicaid expenditures, and to reduce fraud and abuse."

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
NONMEDICAID REIMBURSEMENT CHANGES

Sec. 24.1. Section 23.16 of Chapter 324 of the 1995 Session Laws, as amended by Section 23.5 of Chapter 507, 1995 Session Laws, reads as rewritten:

"Providers of medical services under the various State programs, other than Medicaid, offering medical care to citizens of the State shall be reimbursed at rates no more than those under the North Carolina Medical Assistance Program. Hospitals that provide psychiatric inpatient care for Thomas S. class members or adults with mental retardation and mental illness may be paid an additional incentive payment not to exceed fifteen percent (15%) of their regular daily per diem reimbursement.

The Department of Human Resources may reimburse hospitals at the full prospective per diem rates without regard to the Medical Assistance Program's annual limits on hospital days. When the Medical Assistance Program's per diem rates for inpatient services and its interim rates for outpatient services are used to reimburse providers in non-Medicaid medical service programs, retroactive adjustments to claims already paid shall not be required.

Notwithstanding the provisions of paragraph one, the Department of Human Resources may negotiate with providers of medical services under the various Department of Human Resources programs, other than Medicaid, for rates as close as possible to Medicaid rates for the following purposes: contracts or agreements for medical services and purchases of medical equipment and other medical supplies. These negotiated rates are allowable only to meet the medical needs of its non-Medicaid eligible patients, residents, and clients who require such services which cannot be provided when limited to the Medicaid rate.

Maximum net family annual income eligibility standards for services in these programs shall be as follows:

<u>Family Size</u>	<u>Medical Eye Care Adults</u>	<u>All Rehabilitation</u>	<u>Other</u>
1	\$ 4,860	\$ 8,364	\$ 4,200
2	5,940	10,944	5,300
3	6,204	13,500	6,400
4	7,284	16,092	7,500

5	7,824	18,648	7,900
6	8,220	21,228	8,300
7	8,772	21,708	8,800
8	9,312	22,220	9,300

The eligibility level for children in the Medical Eye Care Program in the Division of Services for the Blind and for adults in the ~~Clozaril~~ Atypical Antipsychotic Medication Program in the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services shall be one hundred percent (100%) of the federal poverty guidelines, as revised annually by the United States Department of Health and Human Services and in effect on July 1 of each fiscal year. Additionally, those adults enrolled in the ~~Clozaril~~ Atypical Antipsychotic Medication Program who become gainfully employed may continue to be eligible to receive State support, in decreasing amounts, for the purchase of ~~Clozaril~~ atypical antipsychotic medication and related services up to three hundred percent (300%) of the poverty level.

State financial participation in the ~~Clozaril~~ Atypical Antipsychotic Medication Program for those enrollees who become gainfully employed is as follows:

<u>Income</u>	<u>State Participation</u>	<u>Client Participation</u>
(% of poverty)		

0-100%	100%	0%
101-120%	95%	5%
121-140%	85%	15%
141-160%	75%	25%
161-180%	65%	35%
191-180%	65%	35%
<u>181-200%</u>	<u>55%</u>	<u>45%</u>
201-220%	45%	55%
221-240%	35%	65%
241-260%	25%	75%
261-280%	15%	85%
281-300%	5%	95%
301%-over	0%	100%.

The Department of Human Resources shall contract at, or as close as possible to, Medicaid rates for medical services provided to residents of State facilities of the Department."

Requested by: Representatives Gardner, Nye, Russell, Senators Martin of Guilford, Lucas

MEDICAID SUBROGATION CHANGE/LRC STUDY

Sec. 24.2. (a) G.S. 108A-57 reads as rewritten:

"§ 108A-57. Subrogation rights; withholding of information a misdemeanor.

(a) Notwithstanding any other provisions of the law, to the extent of payments under this Part, the State, or the county providing medical assistance benefits, shall be subrogated to all rights of recovery, contractual or otherwise, of the beneficiary of ~~such this~~ assistance, or of ~~his the beneficiary's~~ personal representative, ~~his~~ heirs, or the administrator or executor of ~~his the~~ estate, against any person. ~~It shall be the responsibility of the The county attorney attorney,~~ or an attorney retained by the county ~~and/or or~~ the State ~~or both~~, or an attorney retained by the beneficiary of the assistance if ~~such this~~ attorney has actual notice of payments made under this Part ~~to shall~~ enforce this section, ~~and said attorney shall be compensated for his services in accordance with the attorneys' fee arrangements approved by the Department; provided, however, that any attorney retained by the beneficiary of the assistance shall be compensated for his services in accordance with the following schedule and in the following order of priority from any amount obtained on behalf of the beneficiary by settlement with, judgment against, or otherwise from a third party by reason of such injury or death:~~ section. Any attorney retained by the beneficiary of the assistance shall, out of the proceeds obtained on behalf of the beneficiary by settlement with, judgment against, or otherwise from a third party by reason of injury or death, distribute to the Department the amount of assistance paid by the Department on behalf of or to the beneficiary, as prorated with the claims of all others having medical subrogation rights or medical liens against the amount received or recovered, but the amount paid to the Department shall not exceed one-third of the gross amount obtained or recovered.

- (1) ~~First to the payment of any court costs taxed by the judgment;~~
- (2) ~~Second to the payment of the fee of the attorney representing the beneficiary making the settlement or obtaining the judgment, but this fee shall not exceed one-third of the amount obtained or recovered to which the right of subrogation applies;~~
- (3) ~~Third to the payment of the amount of assistance received by the beneficiary as prorated with other claims against the amount obtained or received from the third party to which the right of subrogation applies, but the amount shall not exceed one-third of the amount obtained or recovered to which the right of subrogation applies; and~~
- (4) ~~Fourth to the payment of any amount remaining to the beneficiary or his personal representative.~~

The United States and the State of North Carolina shall be entitled to shares in each net recovery under this section. Their shares shall be promptly paid under this section and their proportionate parts of such sum shall be

determined in accordance with the matching formulas in use during the period for which assistance was paid to the recipient.

(b) It ~~shall be~~ is a Class 1 misdemeanor for any person seeking or having obtained assistance under this Part for himself or another to willfully fail to disclose to the county department of social services or its attorney the identity of any person or organization against whom the recipient of assistance has a right of recovery, contractual or otherwise."

(b) The Legislative Research Commission may study issues relating to the Medicaid subrogation statute, G.S. 108A-57, including State compliance with federal law as it relates to recovery of Medicaid expenditures, the appropriate amount of attorneys' fees and costs, if any, the State should pay for recovery of Medicaid expenditures, and the appropriate amount, if any, that should be guaranteed to the client for whom the underlying action is brought.

(c) The Legislative Research Commission may report the results of its study, along with any legislative proposals and costs analyses, to the 1997 General Assembly.

(d) This section becomes effective as of the effective date of this act and applies to claims filed on or after August 15, 1995.

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
THOMAS S.

Sec. 24.4. Section 23.21 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23.21. (a) Funds appropriated to the Department of Human Resources in this act for the 1995-96 fiscal year and the 1996-97 fiscal year for members of the Thomas S. Class as identified in Thomas S., et al. v. Britt, formerly Thomas S., et al. v. Flaherty, shall be expended only for programs serving Thomas S. Class members or for services for those clients who are:

- (1) Adults with mental retardation, or who have been treated as if they had mental retardation, who were admitted to a State psychiatric hospital on or after March 22, 1984, and who are included on the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services' official list of prospective Class members;
- (2) Adults with mental retardation who have a documented history of State psychiatric hospital admissions regardless of admission date and who, without funding support, have a good probability of being readmitted to a State psychiatric hospital;
- (3) Adults with mental retardation who have never been admitted to a State psychiatric hospital but who have a documented history of behavior determined to be of danger to self or others that results in referrals for inpatient psychiatric treatment and who, without funding support, have a good probability of

being admitted to a State psychiatric hospital; or

- (4) Adults who are included on the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services' official list of prospective Class members and have yet to be confirmed as Class members, who currently reside in the community, and who have a good probability of being admitted to a facility licensed as a 'home for the aged and disabled'.

No more than five percent (5%) of the funds appropriated in this act for the Thomas S. program shall be used for clients meeting subdivisions (2), (3), or (4) of this subsection.

(b) To ensure that Thomas S. Class members are appropriately served, no State funds shall be expended on placement and services for Thomas S. Class members except:

- (1) Funds specifically appropriated by the General Assembly for the placement and services of Thomas S. Class members; and
- (2) Funds for placement and services for which Thomas S. Class members are otherwise eligible.

(b1) Thomas S. funds may be expended to support services for Thomas S. Class members in adult care homes when the service needs of individual Class members in these homes cannot be met via the established maximum adult care home rate.

(c) The Department of Human Resources shall continue to implement a prospective unit cost reimbursement system and shall ensure that unit cost rates reflect reasonable costs by conducting cost center service type rate comparisons and cost center line item budget reviews as may be necessary.

(d) Reporting requirements. The Department of Human Resources shall submit by April 1 of each fiscal year a report to the General Assembly on the progress achieved in serving members and prospective members of the Thomas S. Class. The report shall include the following:

- (1) The number of Thomas S. clients confirmed as Class members;
- ~~(2) The number of prospective Class members evaluated;~~
- ~~(3) The number of prospective Class members awaiting evaluation;~~
- (3a) The number of individuals identified as prospective Class members;
- (4) The number of Class members or prospective Class members added in the preceding 12 months due to their admission to a State psychiatric hospital;
- (5) A description of the types of treatment services provided to Class members; and
- (6) An analysis of the use of funds appropriated for the Class.

(e) Notwithstanding any other provision of law, if the Department of Human Resources determines that a local program is not providing minimally adequate services to members of the Class identified in Thomas S., et al. v. Britt, formerly Thomas S., et al. v. Flaherty, or does not show a willingness to do so, the Department may ensure the provision of these services through contracts with public or private agencies or by direct operation by the Department of these programs."

Requested by: Representatives Holmes, Creech, Esposito, Senator Martin of Guilford

THOMAS S. FUNDS

Sec. 24.4A. If Thomas S. funds are not sufficient, then notwithstanding G.S. 143-16.3 and G.S. 143-23, the Director of the Budget may use funds available to the Department in an amount not to exceed twelve million eight hundred thousand dollars (\$12,800,000).

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

EXTENSION OF TASK FORCE TO DETERMINE A MINIMUM REIMBURSEMENT RATE FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAMS (ADAP)

Sec. 24.5. Section 1 of Chapter 481 of the 1995 Session Laws reads as rewritten:

"Section 1. The Secretary of the Department of Human Resources shall establish in the Office of the Secretary a special task force to determine a minimum reimbursement rate for Adult Developmental Activity Programs (ADAP). In addition, this task force shall review the current funding stream to ensure that it is the most effective way possible to provide day services to adults with developmental disabilities, including which division within the Department is most appropriate for this program. The task force shall report to the ~~Mental Health Study Commission~~ Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services the results of its study in time for these results to be included in the Commission's report to the ~~1995 General Assembly, Regular Session 1996: 1997 General Assembly~~. The task force shall terminate after the presentation of its report to the Commission.

At a minimum, the task force shall consist of:

- (1) Two representatives from community rehabilitation programs;
- (2) A representative from the Department of Human Resources;
- (3) A representative from the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services;
- (4) A representative from the Division of Vocational Rehabilitation; and

(5) A representative from the Association for Retarded Citizens. This task force shall be funded by funds available to the Department."

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
CONSOLIDATION OF JOHN UMSTEAD HOSPITAL AND THE ADATC-BUTNER OPERATING FUND

Sec. 24.6. As the administrative and programmatic functions of John Umstead Hospital and the ADATC-Butner (Alcohol and Drug Abuse Treatment Center at Butner) have been consolidated in an effort to streamline administrative costs, the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services may consolidate the operating budget of these two institutions.

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
IMPROVEMENT OF OPERATING EFFICIENCIES IN COLLOCATED INSTITUTIONS

Sec. 24.7. The Department of Human Resources' colocated institutions shall create operating efficiencies in support functions through increased service coordination across facilities. The Department shall ensure that annual savings in salary and supplies of at least one hundred thousand dollars (\$100,000) are achieved in the 1996-97 fiscal year and in every fiscal year thereafter. These institutions' managers shall be included in the process and in the determination of the methods for achieving the required savings.

Requested by: Representatives Gardner, Hayes, Alexander, Nye, Russell, Senators Martin of Guilford, Lucas, Winner

LEGISLATIVE STUDY COMMISSION ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES

Sec. 24.8. (a) Chapter 120 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 23.

"The Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services.

"§ 120-204. Commission created; purpose.

There is established in the General Assembly a Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services. This commission shall study systemwide issues affecting the development, administration, and delivery of mental health, developmental disabilities, and substance abuse services, including issues relating to the governance, accountability, and quality of services delivered.

"§ 120-205. Commission membership; meetings; terms; vacancies.

(a) This commission shall be composed of 21 members appointed as

follows:

- (1) Seven members of the House of Representatives at the time of their appointment, appointed by the Speaker of the House of Representatives. Of these members, one shall be a Chair of the House Appropriations Subcommittee on Human Resources;
- (2) Seven members of the Senate at the time of their appointment, appointed by the President Pro Tempore of the Senate. Of these members, one shall be the Chair of the Senate Human Resources Appropriations Committee;
- (3) Three members who are representatives of Coalition 2001, appointed by the Governor. Of these members, one shall be a representative from mental health, one from developmental disabilities, and one from substance abuse services;
- (4) Two members of the public, appointed by the Speaker of the House of Representatives. Of these members, one shall be a county commissioner at the time of appointment, selected from a list of four candidates nominated by the North Carolina Association of County Commissioners. If the Association has failed to submit nominations by September 1, 1996, the Speaker of the House of Representatives may appoint any county commissioner; and
- (5) Two members of the public, appointed by the President Pro Tempore of the Senate. Of these members, one shall be a county commissioner at the time of appointment, selected from a list of four candidates nominated by the North Carolina Association of County Commissioners. If the Association has failed to submit nominations by September 1, 1996, the President Pro Tempore of the Senate may appoint any county commissioner.

(b) The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each select a legislative member from their appointments to serve as cochair of the commission. Meetings shall be called at the will of the cochairs.

(c) All members shall serve at the will of their appointing officer. Unless removed or unless resigning, members shall serve for two-year terms. Members may be reappointed. Vacancies in membership shall be filled by the appropriate appointing officer.

"§ 120-206. Powers; per diem, subsistence, and travel allowances.

(a) The commission may contract for consulting services as provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the commission. The professional staff shall include the

appropriate staff from the Fiscal Research, Research, and Legislative Drafting Divisions of the Legislative Services Office of the General Assembly. Clerical staff shall be furnished to the commission through the offices of the House of Representatives and Senate Supervisors of Clerks. The expenses of employment of the clerical staff shall be borne by the commission. The commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The commission, while in the discharge of official duties, may exercise all powers provided under the provisions of G.S. 120-19 through G.S.120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information and any data within their possession or ascertainable from their records, and the power to subpoena witnesses.

(b) Members of the commission shall receive per diem, subsistence, and travel allowances as follows:

- (1) Commission members who are members of the General Assembly, at the rate established in G.S. 120-3.1;
- (2) Commission members who are officials or employees of the State or of local government agencies, at the rate established in G.S. 138-6; and
- (3) All other commission members, at the rate established in G.S. 138-5.

"§ 120-207. Reporting.

The commission shall report the results of its study, together with any legislative proposals and costs analyses, to every regular session of the General Assembly within a week of its convening."

(b) Part XIII, Sections 13.1 through 13.4 of Chapter 542 of the 1995 Session Laws, is repealed.

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
**AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND
SUBSTANCE ABUSE SERVICES PROGRAMS REDUCTIONS/
SPECIFICATIONS**

Sec. 24.9. The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services shall ensure that reductions in its State appropriations for the 1996-97 fiscal year that are allocated to area mental health, developmental disabilities, and substance abuse programs are applied by the area authorities only to those services and programs in which additional increased federal TITLE IVA-Emergency Assistance and Medicaid revenues are anticipated.

Requested by: Senators Martin of Guilford, Lucas, Representatives Gardner, Hayes, Russell, Nye

CAROLINA ALTERNATIVES EXPANSION LIMITS

Sec. 24.10. The Department of Human Resources shall move forward with planning, readiness assessments, and other necessary activities to be able to expand the Carolina Alternatives Child and Adult Waiver Pilot Program. Prior to actual implementation of additional covered populations, during fiscal year 1996-97, the Department shall:

- (1) Receive approval from the Health Care Financing Administration;
- (2) Make a determination that each area authority that is going to participate in the pilot has the capacity to implement the waiver;
- (3) Obtain certification from the Office of State Budget and Management that expansion of Carolina Alternatives is budget neutral, excluding the payment of claims related to the transition from fee-for-service to Medicaid managed care, and authorization from the Office of State Budget and Management to proceed with the pilot;
- (4) Evaluate capitation rates to determine if they are adequate to provide appropriate services;
- (5) Develop five-year cost estimates for Carolina Alternatives;
- (6) Prepare a summary of the number, nature, and resolution of complaints concerning Carolina Alternatives received by the local area authorities during 1996; and
- (7) Submit a report to the 1997 General Assembly and the Fiscal Research Division on subdivisions (3) through (6) of this section.

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
CLINICAL SOCIAL WORKER EXEMPTION

Sec. 24.11. Section 8 of Chapter 732 of the 1991 Session Laws reads as rewritten:

"Sec. 8. This act becomes effective January 1, 1992. G.S. 90B-10(b)(3)a. is repealed effective January 1, ~~1997~~. 1999. The term of the additional Board position for clinical social worker created by this act shall commence upon the expiration of the term of the public member whose term expires first."

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
FOSTER CARE REPORTING REPEALED

Sec. 24.12. Section 23.22 of Chapter 324 of the 1995 Session Laws is repealed.

Requested by: Representatives Holmes, Creech, Esposito, Gardner, Hayes, Senator Martin of Guilford

CHILD SUPPORT RESERVE SHALL NOT REVERT

Sec. 24.13. (a) Any funds appropriated to the Reserve for Child Support Legislation for the 1995-96 fiscal year but not expended as of June 30, 1996, shall not revert but shall remain available for the 1996-97 fiscal year to implement the provisions contained in Chapter 538 of the 1995 Session Laws.

(b) This section is effective June 30, 1996.

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

AFDC EMERGENCY ASSISTANCE RULES CLARIFIED

Sec. 24.14. The Social Services Commission shall ensure that Aid to Families With Dependent Children Emergency Assistance (AFDC-EA) cash is provided only to those with verifiable emergencies by:

- (1) Ensuring that the applicant produce documented verification of the emergency for which AFDC-EA cash is requested; except that where it is unreasonable or not feasible to obtain written verification, such verification can be achieved through telephonic or other reliable means of communication; and
- (2) Ensuring that the verified emergency is one that would threaten the health, safety, or well-being of the child or children in the care or custody of the applicant.

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

REVIEW OF AUTOMATED COLLECTION AND TRACKING SYSTEM

Sec. 24.15. The Information Resource Management Commission shall conduct a quarterly review of the Automated Collection and Tracking System (ACTS) project being developed by the Department of Human Resources. The review shall include an analysis of the problems encountered and progress achieved, identify critical issues to be resolved, and estimate the final cost and date of completion. The review shall be submitted through the Office of the State Controller to the chairs of the House and Senate Appropriations committees, the chairs of the House and Senate Human Resources Appropriations subcommittees, and to the Director of the Fiscal Research Division of the Legislative Services Office of the General Assembly no later than the last day of each quarter.

Requested by: Senators Martin of Guilford, Lucas, Representatives Gardner, Nye, Russell

CLARIFICATION OF AUTHORIZED ADDITIONAL USE OF HIV FOSTER CARE AND ADOPTIVE FAMILY FUNDS

Sec. 24.16. Section 23.9 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 23.9. In addition to providing board payments to foster and adoptive families of HIV-infected children as prescribed in Chapter 324 of the 1995 Session Laws, any additional funds remaining that were appropriated in Chapter 324 of the 1995 Session Laws for this purpose shall be used as follows:

- (1) To provide medical training in avoiding HIV transmission in the home; and
- (2) To transfer funds to the Department of Environment, Health, and Natural Resources to create three social work positions within the Department of Environment, Health, and Natural Resources, for the eastern part of North Carolina to enable the case-managing of families with HIV-infected children so that the children and the parents get access to medical care and so that child protective services issues are addressed rapidly and effectively. The three positions shall be medically based and located:
 - a. One in the northeast, covering Northampton, Hertford, Halifax, Gates, Chowan, Perquimans, Pasquotank, Camden, Currituck, Bertie, Wilson, Edgecombe, and Nash Counties;
 - b. One in the central east, covering Martin, Pitt, Washington, Tyrrell, Dare, Hyde, Beaufort, Jones, Greene, Craven, and Pamlico Counties; and
 - c. One in the southeast, covering New Hanover, Robeson, Brunswick, Carteret, Onslow, Lenoir, Pender, Duplin, Bladen, and Columbus Counties."

Requested by: Representatives Gardner, Hayes, Senators Martin of Guilford, Hartsell

EXTEND CABARRUS COUNTY AFDC AND FOOD STAMP WORKFARE PILOT PROGRAM

Sec. 24.16A. Chapter 368 of the 1995 Session Laws reads as rewritten:

"Section 1. Notwithstanding any law to the contrary, the Department of Human Resources shall designate Cabarrus County as a pilot county for the purpose of conducting a demonstration Workfare Program for certain Aid to Families with Dependent Children (AFDC) and Food Stamp recipients. Immediately upon the ratification of this act, the Department shall seek all federal waivers necessary to allow this demonstration program. To the extent that this act or the program established pursuant to it conflicts with any State law, the program supersedes that law.

Sec. 2. (a) The Cabarrus County demonstration Workfare Program for certain AFDC and Food Stamp recipients shall:

- (1) Provide job opportunities to all able-bodied AFDC and Food Stamp recipients who:
 - a. Are not eligible for the JOBS program;
 - b. Are between the ages of 18 and 64;
 - c. Are not caring for a child under one year of age;
 - d. Are working less than 30 hours per week; and
 - e. Are not full-time high school students or the equivalent;
- (2) Create job opportunities in the public, the private, nonprofit, and the private, for-profit sector, primarily in the human services areas by allowing Cabarrus County to use grant diversions, consisting of the AFDC benefits and the cash value of Food Stamps that would be paid to otherwise eligible recipients to match employer funds, to subsidize the employment of these recipients. Human service area jobs will meet such socially necessary needs as day care work, nursing home aide work, and in-home aide work;
- (3) Allow wages paid to these recipients, which contain grant-diverted funds, to be exempt from income for purposes of determining eligibility for assistance;
- (4) Structure payment of wages to these recipients such that they will be considered income, in order to make recipients eligible for the federal earned income tax credit;
- (5) Create work experience opportunities in the private sector more realistically to reflect the world of work;
- (6) Require these recipients to participate in the development of an opportunity contract, outlining the responsibilities of the recipient and agency, as well as the incentives for compliance and the sanctions for noncompliance;
- (7) Require all these recipients who participate in the program to pursue and accept employment, full or part time, subsidized or unsubsidized, as a condition for continued eligibility for AFDC and Food Stamp assistance;
- (8) Require job search training of all participants;
- (9) Require monitored job search of all participants until employment is found or until other work activities of up to 40 hours per week are in place;
- (10) Provide child care by allowing Cabarrus County to use grant diversions, consisting of the Family Support Act child day care subsidies that would be paid to otherwise eligible recipients, and transportation as required;
- (11) Create a positive work incentive by providing wage incentives to participants who are in compliance with the program, equal

to the first thirty dollars (\$30.00) and one-third of the remainder of monthly gross income for a period of up to two years;

- (12) Provide enhanced Food Stamp benefits after participants are employed and are in program compliance by using the thirty dollar (\$30.00) and one-third of the remainder wage incentive as an income exemption;
- (13) Provide time-limited sanctions, or withholding of benefits for the adult members of the household of all AFDC and Food Stamp benefits for noncompliance, beginning with the first sanction period equal to the time necessary to come into compliance, second sanction period -- four months, third and subsequent sanctions -- eight months; and
- (14) Provide automatic Medicaid coverage for children and pregnant adults of sanctioned families by transferring the children administratively to the Medicaid for Indigent Children (MIC) Program and by transferring the pregnant adults administratively to the Medicaid for Pregnant Women (MPW) Program.

(b) An adjunct program to the demonstration program prescribed in subsection (a) of this section shall:

- (1) Require AFDC recipients who are mandated JOBS participants to pursue and accept employment, full or part time, subsidized or unsubsidized, as part of their job plan. The maximum number of hours delegated to job activities, including employment, shall be 40 hours per week. AFDC recipients who are JOBS eligible and who are caring for children under five years of age shall, in this program, not be limited to 20 hours per week;
- (2) Require AFDC recipients who are potential JOBS participants to engage in job search until either employment is found or they become JOBS eligible; and
- (3) Ensure that sanctions for noncompliance and provision of Medicaid coverage shall be as provided in subdivisions (13) and (14) of subsection (a) of this section.

Sec. 3. This act shall be funded by Cabarrus County using the grant diversions and administrative transfers prescribed in Section 2 of this act, together with federal and State administrative funding allocated to Cabarrus County for the public assistance and JOBS programs.

Sec. 4. The Department of Human Resources shall evaluate the Cabarrus County Demonstration Project and report to the General Assembly on or before ~~March 1, 1997~~ May 1, 1998.

Sec. 5. This act becomes effective July 1, 1995 and shall expire on ~~July 1,~~

~~1997~~. January 1, 1999."

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
MEDICAL DATA PROCESSING FUNDS

Sec. 24.16B. The sum of one hundred fifty thousand dollars (\$150,000) for the 1996-97 fiscal year is transferred from the Insurance Regulatory Fund established pursuant to G.S.58-6-25 to the Division of Facility Services, Department of Human Resources, to certify statewide data processors pursuant to Article 11A of Chapter 131E of the General Statutes, to purchase data from statewide data processors, and to process and analyze the data.

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
RURAL COMMUNITY AND MIGRANT HEALTH CENTERS' PARTICIPATION IN STATE CONTRACT PURCHASING

Sec. 24.17. G.S. 143-49(6) reads as rewritten:

"(6) To make available to nonprofit corporations operating charitable hospitals, to local nonprofit community sheltered workshops or centers that meet standards established by the Division of Vocational Rehabilitation of the Department of Human Resources, to private nonprofit agencies licensed or approved by the Department of Human Resources as child placing ~~agencies or agencies~~, residential child-care facilities, private nonprofit rural, community, and migrant health centers designated by the Office of Rural Health and Resource Development, and to counties, cities, towns, governmental entities and other subdivisions of the State and public agencies thereof in the expenditure of public funds, the services of the Department of Administration in the purchase of materials, supplies and equipment under such rules, regulations and procedures as the Secretary of Administration may adopt. In adopting rules and regulations any or all provisions of this Article may be made applicable to such purchases and contracts made through the Department of Administration, and in addition the rules and regulations shall contain a requirement that payment for all such purchases be made in accordance with the terms of the contract. Prior to adopting rules and regulations under this subdivision, the Secretary of Administration may consult with the Advisory Budget Commission."

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

REDUCE DHR FUNDS IN ANTICIPATION OF RECEIPT OF FEDERAL FUNDS

Sec. 24.18. Section 23 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23. (a) Funds appropriated to the Department of Human Resources for the 1995-96 fiscal year have been reduced by fourteen million thirteen thousand three hundred ninety-six dollars (\$14,013,396) in anticipation of the receipt of federal funds from the Title IV A - Emergency Assistance Program and the Social Services Block Grant. If these federal funds are not received or if only a portion of these funds are received, notwithstanding ~~G.S. 143-15.3, G.S. 143-23~~, the Director of the Budget may use funds available to the Department, not to exceed fourteen million thirteen thousand three hundred ninety-six dollars (~~\$14,013,393~~). (\$14,013,396). The Director of the Budget shall report to the Joint Legislative Commission on Governmental Operations prior to any such transfer.

(b) Funds appropriated to the Department of Human Resources for the 1996-97 fiscal year have been reduced by fifteen million two hundred fifty-two thousand two hundred ninety-two dollars (\$15,252,292) in anticipation of the receipt of federal funds from the Title IV A - Emergency Assistance Program. If these federal funds are not received or if only a portion of these funds are received, notwithstanding G.S. 143-23, the Director of the Budget may use funds available to the Department, not to exceed fifteen million two hundred fifty-two thousand two hundred ninety-two dollars (\$15,252,292). The Director of the Budget shall report to the Joint Legislative Commission on Governmental Operations prior to any such transfer.

(c) Funds appropriated for the biennium for the Social Services Block Grant were reduced for local departments of social services for the 1995-96 fiscal year and for the 1996-97 fiscal year in anticipation of the receipt of federal funds from the Title IV A - Emergency Assistance Program. If these reductions are not made up with federal funds received in the 1996-97 fiscal year or if only a portion of these funds are received, notwithstanding G.S. 143-23, the Director of the Budget may use funds available, not to exceed twelve million one hundred fifty thousand dollars (\$12,150,000) to make up the reductions for local departments of social services. The Director of the Budget shall report to the Joint Legislative Commission on Governmental Operations prior to any such transfer."

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
DHR RESOURCE STUDIES EXTENDED

Sec. 24.19. Section 23.6B of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23.6B. The Department shall study the following two issues and shall report these two issues, together with any recommendations, to the ~~1995~~

~~General Assembly, Regular Session 1996, within one week of convening:~~
General Assembly by December 1, 1996:

- (1) The average staff vacancy rate by division over the last five fiscal years, to determine its effect on lapsed salaries; and
- (2) An analysis of unbudgeted revenues in excess of revenues in the certified budget as amended by the General Assembly received by the Department in the last two fiscal years, including:
 - a. Indirect cost receipts; and
 - b. Prior year earned revenue."

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

PLAN FOR REORGANIZATION OF THE DEPARTMENT OF HUMAN RESOURCES

Sec. 24.20. (a) The General Assembly intends to reorganize the Department of Human Resources, in consultation with the Office of State Budget and Management and the Department of Human Resources, to provide an alternative and improved approach to the organization and delivery of human services in North Carolina.

(b) There is established the Independent Study Commission on the Reorganization of the Department of Human Resources.

(c) The Commission shall be composed of 16 members, 15 voting and one nonvoting, as follows:

- (1) Five members of the House of Representatives at the time of their appointment, two appointed by the Speaker of the House of Representatives, one other a chair of the House Appropriations Subcommittee on Human Resources, one other a member of the House Appropriations Subcommittee on Human Resources, and one other the House of Representatives chair or other member of the Subcommittee on Human Resources of the Joint Legislative Commission on Governmental Operations;
- (2) Five members of the Senate at the time of their appointment, two appointed by the President Pro Tempore of the Senate, one other the chair of the Senate Appropriations Subcommittee on Human Resources, one other a member of the Senate Appropriations Subcommittee on Human Resources, and one other the Senate chair or other member of the Subcommittee on Human Resources of the Joint Legislative Commission on Governmental Operations;
- (3) Five public members appointed by the Governor, including one who shall be a county commissioner at the time of

appointment, selected from a list of four candidates nominated by the North Carolina Association of County Commissioners; and

- (4) The Secretary of the Department of Human Resources or a designee, who shall be a nonvoting member.

(d) The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each select a legislative member from their respective chambers to serve as cochair of the Commission.

(e) The Commission, while in the discharge of official duties, may exercise all the powers provided for under the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S.120-19.4. The Commission may meet at any time upon the joint call of the cochairs. The Commission may meet in the Legislative Building or the Legislative Office Building.

(f) Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1 or Chapter 138 of the General Statutes, as appropriate.

(g) The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional and clerical staff to staff the Commission. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to the Commission or committee, upon the direction of the Legislative Services Commission. The expenses relating to professional and clerical employees supplied through the Legislative Services Commission shall be borne by the Legislative Services Commission.

Notwithstanding any Legislative Services Office policy to the contrary, the Commission may meet during the 1997 Session of the General Assembly, and legislative staff may serve the Commission during this session.

(h) When a vacancy occurs in the membership of the Commission, the vacancy shall be filled by the same appointing officer who made the initial appointment.

(i) All State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

(j) The Commission shall contract with an independent management consulting firm to develop a reorganization plan, including an implementation component. Because time is of the essence, if the Commission is not appointed by August 15, 1996, the Division of Fiscal Research may begin the contracting process, including the development of Requests for Proposals. The Division shall consult with the Office of State Budget and Management and the Department of Human Resources in this process.

(k) The contract shall provide that the plan shall be designed to meet the following goals:

- (1) The achievement of family-centered services;
 - (2) The identification of gaps in services across special needs groups;
 - (3) The improvement of access to and the reduction of fragmentation of services and programs;
 - (4) The enhancement of accountability;
 - (5) The provision of leadership at the State level for local government; and
 - (6) The definition of and delineation between State and local roles and responsibilities.
- (l) The contract shall provide that the plan propose an organizational structure designed around the following guiding principles:
- (1) The facilitation of a holistic approach to the delivery of services and programs;
 - (2) The provision of a core set of programs and services common to all special needs groups;
 - (3) The effective delivery of programs and services, including:
 - a. Coordinated planning;
 - b. Evaluation of results;
 - c. Independent regulatory and licensing functions;
 - d. Centralized administrative support; and
 - (4) The inclusion of consideration of funding sources in decision making regarding programs and services.
- (m) The Commission shall provide any additional contract specifications and directions it considers necessary.
- (n) The independent management consultant that is awarded the contract shall report to the Commission as the Commission considers appropriate and shall submit a final report to the Commission by March 1, 1997. While conducting its work, the independent management consultant shall devise a means of obtaining confidential input from managerial and nonmanagerial human services personnel, such as through the establishment of a confidential, temporary hotline.
- (o) The Commission shall report its findings and recommendations, including any legislative proposals, to the General Assembly by April 1, 1997, at which time the Commission shall terminate.
- (p) Of the funds appropriated to the Department of Human Resources, the sum of five hundred thousand dollars (\$500,000) is transferred to the General Assembly to implement this section, including to fund the contract required.

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford
**DHR REPORT ON PLANS FOR IMPLEMENTING DYS
COMPREHENSIVE STUDY RECOMMENDATIONS**

Sec. 24.21. The Department of Human Resources shall report to the Joint Legislative Commission on Governmental Operations by October 1, 1996, on its plans for implementing the recommendations of the Comprehensive Study of the Division of Youth Services.

Requested by: Senators Martin of Guilford, Lucas, Representatives Gardner, Nye, Russell

STUDY COURT-ORDERED COUNTY PAYMENT OF JUVENILE TREATMENT

Sec. 24.21A. (a) The Division of Youth Services, Department of Human Resources, and the Administrative Office of the Courts shall study county payment of the cost of medical, surgical, psychiatric, psychological, or other treatment of juveniles ordered pursuant to G.S. 7A-647 when the parents are not able to pay the cost of treatment. The study shall provide recommendations on the feasibility and desirability of allowing the counties to present evidence of their financial status in each case and of requiring the State to pay the cost of treatment of juveniles in counties that are not able to pay the cost of treatment.

(b) The Division of Youth Services and the Administrative Office of the Courts shall report the results of this study and its recommendations to the Chairs of the House and Senate Appropriations Committees and the Chairs of the House and Senate Appropriations Subcommittees on the Department of Human Resources and on Justice and Public Safety by December 1, 1996.

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

S.O.S. AND FAMILY RESOURCE CENTER GRANT PROGRAMS ADMINISTRATIVE COST LIMITS

Sec. 24.22. Section 23.6 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23.6. (a) Of the funds appropriated to the Department of Human Resources in this act, the Department may use up to a total of three hundred fifty thousand dollars (\$350,000) each fiscal year of the biennium to administer the S.O.S. Program, to provide technical assistance to applicants and to local S.O.S. programs, and to evaluate the local S.O.S. programs. The Department may contract with appropriate public or nonprofit agencies to provide the technical assistance, including training and related services.

(b) Of the funds appropriated in this act to the Department of Human Resources for the Family Resource Center Grant Program, the Department may use up to three hundred thousand dollars (\$300,000) each fiscal year of the biennium for the 1995-96 fiscal year and two hundred fifty thousand dollars (\$250,000) for the 1996-97 fiscal year to administer the Program."

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

OFFICE OF ECONOMIC OPPORTUNITY, SUPPORT OUR STUDENTS PROGRAMS' LOCATION

Sec. 24.23. The Department of Human Resources shall ensure that the Office of Economic Opportunity remains in the Office of the Secretary and that the Support Our Students Program remains in the Division of Youth Services.

Requested by: Representatives Russell, Pate, Pulley, Sherrill, Gardner, Nye, Senators Martin of Guilford, Lucas

DHR POSITION ELIMINATION SPECIFICATIONS

Sec. 24.24. (a) The Department of Human Resources shall ensure that the elimination of positions, other than those that are mental health institutionally based, in the 1996-97 fiscal year, targeted by the Department, as referenced in the Current Operations Appropriations Act of 1996, or in the Conference Report incorporated into the Act, be effected as follows:

- (1) All vacant positions targeted for elimination shall be eliminated effective July 1, 1996; and
- (2) All filled positions targeted for elimination shall be eliminated effective November 1, 1996, except for filled positions targeted for elimination in the Office of the Controller, which positions shall be eliminated on or before December 31, 1996.

The Department of Human Resources shall not eliminate any position prescribed by this subsection that it targeted but that was not referenced as eliminated in the Current Operations Appropriations Act of 1996 or in the Conference Report incorporated into the Act. In order to comply with State Personnel Commission policy and in order to protect filled positions, the Department may substitute vacant positions or filled positions other than mental health institutionally based filled critical positions whose incumbents volunteer for discontinued service allowance for filled positions targeted for elimination.

(b) The Department of Human Resources shall further ensure that the elimination of the 130.5 mental health institutionally based positions be effected according to the following priority:

- (1) First, from vacant, noncritical positions, which positions shall be eliminated effective July 1, 1996;
- (2) Then, from vacant, critical positions, which positions shall be eliminated effective July 1, 1996; and
- (3) Then, from filled, noncritical positions, which positions shall be eliminated effective November 1, 1996.

The Department shall not eliminate any mental health institutionally based filled critical positions. For purposes of this section, a critical position

is one that provides or is engaged in direct contact with clients on an ongoing basis and a noncritical position is any other position.

Requested by: Representatives Gardner, Hayes, Howard, Berry, Senator Martin of Guilford

FOOD STAMP ELECTRONIC BENEFITS TRANSFER FUNDS SPECIFICATION

Sec. 24.25. Funds appropriated to the Controller's Office, Department of Human Resources, for the Food Stamp Electronic Benefits Transfer Program (EBT) shall remain in the Controller's Office and shall not be transferred to any other office or division within the Department.

The Controller's Office, Department of Human Resources, may proceed with statewide implementation of the Food Stamp EBT Program.

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Cochrane, Lucas

IN-HOME AIDE FUNDS

Sec. 24.26. Section 23.11D of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 23.11D. Of the funds appropriated to the Division of Aging, Department of Human Resources, in this act, the sum of five hundred thousand dollars (\$500,000) for the 1995-96 fiscal year and the sum of ~~five hundred thousand dollars (\$500,000)~~ five million five hundred thousand dollars (\$5,500,000) for the 1996-97 fiscal year shall be allocated via the Home and Community Care Block Grant ~~and used to fund in-home aide services and caregiver support services.~~ for home and community care services for older persons who are not eligible for Medicaid and who are on the waiting list for these services. These funds shall be used only for direct services. Service recipients shall pay for services based on their income in accordance with G.S. 143B-181.1(a)(10)."

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

ADULT CARE HOME REIMBURSEMENT RATE/ADULT CARE HOME ALLOCATION OF NONFEDERAL COST OF MEDICAID PAYMENTS

Sec. 24.26A. (a) Section 23.10 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 23.10. (a) Effective July 1, 1995, the maximum monthly rate for residents in adult care home facilities shall be nine hundred seventy-five dollars (\$975.00) per month for ambulatory residents and one thousand seventeen dollars (\$1,017) per month for semiambulatory residents.

(b) Effective August 1, 1995, the maximum monthly rate for residents in

adult care home facilities shall be eight hundred forty-four dollars (\$844.00) per month per resident.

(c) Effective August 1, 1995, the Department of Human Resources may use the remaining funds available from the State/County Special Assistance appropriation to provide:

- (1) Needed Medicaid-covered services, specifically one hour of personal care services per day to all Medicaid-eligible residents and a maximum of 50 additional hours per month of personal care services for residents who require heavy care;
- (2) Funds to the area mental health authorities to provide wraparound services for adult home care residents with mental health conditions;
- (3) Funds for the implementation of the provisions of G.S. 131D-4.1 and G.S. 131D-4.2, including funds for necessary additional staff.

(d) The eligibility of Special Assistance recipients residing in adult care homes on August 1, 1995, shall not be affected by an income reduction in the Special Assistance eligibility criteria resulting from adoption of the Rate Setting Methodology Report and Related Services, providing these recipients are otherwise eligible.

(e) Effective August 1, 1995, the State shall pay fifty percent (50%) and the county shall pay fifty percent (50%) of the nonfederal costs of Medicaid services paid to adult care home facilities. As Medicaid personal care requirements increase, the county matching share shall be capped until it equals fifteen percent (15%) of the nonfederal Medicaid personal care requirements.

(f) To maximize Medicaid funding, the Department of Human Resources may take the temporary measures necessary to implement Medicaid funding during the period from August 1, 1995, through September 30, 1995. This authorization includes authorization to continue payment of State/County Assistance at the July 1995 rates until the Health Care Financing Administration approval of Medicaid personal care services with future recoupment from providers of an amount equal to the difference between the July 1995 rates and the August 1995 rates.

(g) Effective July 1, 1996, the maximum monthly rate for residents in adult care home facilities shall be eight hundred seventy-four dollars (\$874.00) per month per resident."

(b) The Aging Study Commission shall study the issue of adult care home reimbursement rates, including the issue of staff incentive grants, and the issue of mandatory staff/resident ratios and shall report the results of this study, together with any recommendations, in its report to the 1997 General Assembly.

Requested by: Senators Martin of Guilford, Lucas, Representatives Gardner, Hayes, Nye, Russell

FIRE PROTECTION REVOLVING LOAN FUND

Sec. 24.26B. (a) Chapter 122A of the General Statutes is amended by adding a new section to read:

"§ 122A-5.13. Adult Care Home, Group Home, and Nursing Home Fire Protection Fund authorized; authority.

(a) The North Carolina Housing Finance Agency shall establish an Adult Care Home, Group Home, and Nursing Home Fire Protection Fund (hereinafter 'Fire Protection Fund') to assist owners of adult care homes, group homes for developmentally disabled adults, and nursing homes with the purchase and installation of fire protection systems in existing and new adult care homes, group homes for developmentally disabled adults, and nursing homes. The Fire Protection Fund shall be a revolving fund.

(b) The Agency, in consultation with the Department of Human Resources, shall adopt rules for the management and use of the Fire Protection Fund. These rules at a minimum shall provide for the following:

- (1) Financial incentives for owners of facilities who utilize Fire Protection Fund monies to install sprinkler systems instead of smoke detection equipment.
- (2) Maximum loan amounts of one dollar and seventy-five cents (\$1.75) per square foot for advanced smoke detectors and digital communication equipment, three dollars and seventy-five cents (\$3.75) per square foot for residential sprinkler systems, and six dollars (\$6.00) per square foot for institutional sprinkler systems.
- (3) Interest rates from three percent (3%) to six percent (6%) for a period not to exceed 20 years for sprinkler systems and 10 years for smoke detection systems.
- (4) Documentary verification that owners of facilities obtain fire protection systems at a reasonable cost.
- (5) Acceleration of a loan when statutory fire protection requirements are not met by the facility for which the loan was made.
- (6) Loan approval priority criteria that considers the frailty level of residents at a facility.
- (7) Loan origination and servicing fees."

(b) Proceeds from the Fire Protection Fund created in this act may be used to provide staff support to the North Carolina Housing Finance Agency for loan processing and to the Department of Human Resources for review and approval of fire protection plans and inspection of fire protection systems.

- (c) The North Carolina Housing Finance Agency shall, by October

1, 1996, adopt temporary rules to implement this section.

(d) Of the funds appropriated to the Department of Human Resources in this act, the sum of one million dollars (\$1,000,000) shall be transferred to the North Carolina Housing Finance Agency to fund the Fire Protection Fund.

Requested by: Representatives Gardner, Nye, Russell, Shubert, Senators Martin of Guilford, Lucas

CHILD DAY CARE SUBSIDIES

Sec. 24.26C. (a) The maximum gross annual income for initial eligibility, adjusted biennially, for subsidized child care services shall be seventy-five percent (75%) of the State median income, adjusted for family size.

(b) Parents who receive child care subsidy to work, look for work, attend work-related training or education activities, or meet the special developmental needs of their child, shall share in the cost of child care. No fees shall be charged to the client when child day care services are provided to the individuals in the following circumstances:

- (1) When children are receiving day care services in conjunction with protective services as described in 10 NCAC 35E.0106, up to a maximum of 12 months from the time protective services are initiated;
- (2) When day care services are provided as a support to a child receiving Child Welfare Services as described in the North Carolina Division of Social Services Family Services Manual, Volume 1, Chapter II; or
- (3) When a child with no income is living with someone other than the child's biological or adoptive parent or is living with someone who does not have court-ordered financial responsibility.

(c) The amount of the fees charged to the client shall be in accordance with the fee determination process and established schedules adopted by the Social Services Commission and published by the Division of Child Development. Fees shall be established based on a percent of gross family income and adjusted for family size. Fees shall be determined as follows:

FAMILY SIZE	PERCENT OF GROSS FAMILY INCOME
1-3	9%
4-5	8%
6 or more	7%

Local departments of social services shall apply this new fee schedule to recipients at the next eligibility review on or after the effective date of this section.

(d) The monthly schedule of payments for the purchase of child day

care services for low-income children from providers who have fifty percent (50%) or more children receiving child care subsidized with State or federal funds include:

- (1) Provision of payment rates for child care that are tied to the provider's regulatory status as follows:
 - a. Registered homes and "A" licensed centers receive the market rate or the rate they charge their full fee-paying parents, whichever is lower;
 - b. "AA" licensed centers receive one hundred ten percent (110%) of the market rate or the rate they charge their full fee-paying parents, whichever is lower; and
 - c. Unregistered providers receive fifty percent (50%) of the market rate or the rate they charge their full fee-paying parents, whichever is lower.
 - (2) Provision of payment rates for child care providers in counties who do not have at least 75 children in each age group for center-based and home-based care as follows:
 - a. Payment rates shall be set at the statewide market rate for registered homes and "A" licensed centers.
 - b. If it can be demonstrated that the application of the statewide market rate to a county with fewer than 75 children in each age group is lower than the county market rate and would inhibit the ability of the county to purchase child care for low-income children, then the county market rate may be applied.
- (e) Payment rates described in subdivision (1) of subsection (d) of this section shall be applied to all licensed child care centers, including Head Start, that have fifty percent (50%) or more of enrolled children receiving child care subsidies, and to registered family child care homes and unregulated providers that enroll subsidized children.
- (f) The Department may seek the necessary waivers to extend the Family Support Act Transitional Child Care to two-year coverage in order to maximize federal funds.
- (g) This section becomes effective September 1, 1996.

Requested by: Representatives Gardner, Nye, Russell, Senators Martin of Guilford, Lucas

ALLOCATION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE EXPANSION FUNDS

Sec. 24.27. Of the funds appropriated in this act to the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, Department of Human Resources, for expansion of mental health, developmental disabilities, and substance abuse programs and services, other

than crisis services, those funds needed by area authorities for "catch-up" purposes shall be allocated pursuant to the Incentive Method adopted by the Mental Health Study Commission and presented in the Commission's Report to the 1996 General Assembly. The Department, in conjunction with all stakeholders, and in consultation with the Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services, shall work together to develop a needs-based approach for the allocation of future expansion funds. The Department shall report on the recommended approach to the 1997 General Assembly by March 1, 1997.

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas

CONSIDERATION OF PRIVATIZATION OF RICHMOND COUNTY BOUNDOVER DETENTION FACILITY

Sec. 24.28. The Department of Human Resources may solicit bids to determine whether privatization of the operation of the Richmond County Boundover Unit, designed to serve a small but special population of juveniles being held for trial in superior court as adults, would result in savings to the State. If the Department considers that it is in the best interest of the State to do so, the Department may proceed with the privatization.

If the Department does proceed with the privatization, the Department shall request that the contractor give priority employment opportunity to the State employees in the current filled 15 positions scheduled to be reassigned to Richmond from the Pitt Detention Center.

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Lucas, Cooper

EARLY CHILDHOOD INITIATIVES

Sec. 24.29. (a) Notwithstanding any provision of Part 10B of Article 3 of Chapter 143B of the General Statutes or any other provision of law or policy, including Part 27A of Chapter 324 of the 1995 Session Laws, the Department of Human Resources and the North Carolina Partnership for Children, Inc., jointly shall ensure that all of the recommendations contained in the State of North Carolina Smart Start Performance Audit, prepared pursuant to Section 27A(1)b. of Chapter 324 of the 1995 Session Laws, are implemented by July 1, 1997, together with any specific modification to any recommendations made in this subsection or elsewhere in this section. The Partnership shall report quarterly to the Joint Legislative Commission on Governmental Operations on its progress towards full implementation. The Department shall report to the Commission by February 1, 1997, on any changes that must be made to Part 10B of Article 3 of Chapter 143B of the General Statutes or to any other statutes or rules to make the implementation of the Smart Start Performance Audit recommendations a permanent part of the law.

The Early Childhood Education and Development Initiatives Program shall not be continued or expanded after the 1996-97 fiscal year until the 1997 General Assembly determines, after consideration of the reports submitted to the Joint Legislative Commission on Governmental Operations prescribed by this section, that the Program, both at the State and local levels, is operating as efficiently as possible and is producing the results for which it was established.

The following recommendations of the Smart Start Performance Audit are modified as follows:

- (1) The recommended administrative start-up cost allowance allowed for local partnerships shall apply only in the first year each partnership provides direct services;
- (2) The recommended determination as to whether local partnerships' contractors that receive \$25,000 or more have complied with financial audit requirements shall be made by the Partnership rather than the State Auditor; and
- (3) The recommendation that the Director of the Division of Child Development be an ex officio member of the Partnership shall not be implemented.

The following shall be studied by the Department and by the Partnership and presented, together with any recommended changes, to the Joint Legislative Commission on Governmental Operations by February 1, 1997:

- (1) Regionalization of the local partnerships, specifically, development of a plan to regionalize the local partnerships, including incentives for regionalization of existing local partnerships as well as for newly applying partnerships;
 - (2) The administrative cost formulas referenced in the Smart Start Performance Audit;
 - (3) The definition of in-kind contributions and the matching requirements referenced in the Smart Start Performance Audit; and
 - (4) Transportation.
- (b) G.S. 143B-168.12(a) reads as rewritten:

"(a) In order to receive State funds, the following conditions shall be met:

- (1) Members of the Board of Directors shall consist The North Carolina Partnership shall have a Board of Directors consisting of the following 39 members:
 - a. The Secretary of Human Resources, ex officio;
 - b. The Secretary of Environment, Health, and Natural Resources, ex officio;
 - c. The Superintendent of Public Instruction, ex officio;
 - d. The President of the Department of Community

Colleges, ex officio;

- e. One resident from each of the 1st, 3rd, 5th, 7th, 9th, and 11th Congressional Districts, appointed by the President Pro Tempore of the Senate;
- f. One resident from each of the 2nd, 4th, 6th, 8th, 10th, and 12th Congressional Districts, appointed by the Speaker of the House of Representatives;
- g. Seventeen members, of whom four shall be members of the party other than the Governor's party, appointed by the Governor;
- h. The President Pro Tempore of the Senate, or a designee;
- i. The Speaker of the House of Representatives, or a designee;
- j. The Majority Leader of the Senate, or a designee;
- k. The Majority Leader of the House of Representatives, or a designee;
- l. The Minority Leader of the Senate, or a designee; and
- m. The Minority Leader of the House of Representatives, or a designee.

(2) The North Carolina Partnership shall agree to adopt procedures for its operations that are comparable to those of Article 33C of Chapter 143 of the General Statutes, the Open Meetings Law, and Chapter 132 of the General Statutes, the Public Records Law, and provide for enforcement by the Department.

(3) The North Carolina Partnership shall oversee the development and implementation of the local demonstration projects as they are selected.

(4) The North Carolina Partnership shall develop and implement a comprehensive standard fiscal accountability plan to ensure the fiscal integrity and accountability of State funds appropriated to it and to the local partnerships. The standard fiscal accountability plan shall, at a minimum, include a uniform, standardized system of accounting, internal controls, payroll, fidelity bonding, chart of accounts, and contract management and monitoring. The North Carolina Partnership may contract with outside firms to develop and implement the standard fiscal accountability plan. All local partnerships shall be required to participate in the standard fiscal accountability plan developed and adopted by the North Carolina Partnership pursuant to this subdivision.

(5) The North Carolina Partnership shall develop and implement

a centralized accounting and contract management system which incorporates features of the required standard fiscal accountability plan described in subdivision (4) of subsection (a) of this section. The following local partnerships shall be required to participate in the centralized accountability system developed by the North Carolina Partnership pursuant to this subdivision:

- a. Local partnerships which have significant deficiencies in their accounting systems, internal controls, and contract management systems, as determined by the North Carolina Partnership based on the annual financial audits of the local partnerships conducted by the Office of the State Auditor; and
- b. Local partnerships which are in the first two years of operation following their selection. At the end of this two-year period, local partnerships shall continue to participate in the centralized accounting and contract management system. With the approval of the North Carolina Partnership, local partnerships may perform accounting and contract management functions at the local level using the standardized and uniform accounting system, internal controls, and contract management systems developed by the North Carolina Partnership.

Local partnerships which otherwise would not be required to participate in the centralized accounting and contract management system pursuant to this subdivision may voluntarily choose to participate in the system. Participation or nonparticipation shall be for a minimum of two years, unless, in the event of nonparticipation, the North Carolina Partnership determines that any partnership's annual financial audit reveals serious deficiencies in accounting or contract management.

- (6) The North Carolina Partnership shall develop a formula for allocating direct services funds appropriated for this purpose to local partnerships.
- (7) The North Carolina Partnership may adjust its allocations on the basis of local partnerships performance assessments. In determining whether to adjust its allocations to local partnerships, the North Carolina Partnership shall consider whether the local partnerships are meeting the outcome goals and objectives of the North Carolina Partnership and the goals and objectives set forth by the local partnerships in their

approved annual program plans.

The North Carolina Partnership may use additional factors to determine whether to adjust the local partnerships' allocations. These additional factors shall be developed with input from the local partnerships and shall be communicated to the local partnerships when the additional factors are selected. These additional factors may include board involvement, family and community outreach, collaboration among public and private service agencies, and family involvement.

On the basis of performance assessments, local partnerships annually shall be rated 'superior', 'satisfactory', or 'needs improvement'. Local partnerships rated 'superior' shall receive, to the extent that funds are available, a ten percent (10%) increase in their annual funding allocation. Local partnerships rated 'satisfactory' shall receive their annual funding allocation. Local partnerships rated 'needs improvement' shall receive ninety percent (90%) of their annual funding allocation.

The North Carolina Partnership may contract with outside firms to conduct the performance assessments of local partnerships.

- (8) The North Carolina Partnership shall establish a local partnership advisory committee comprised of 15 members. Eight of the members shall be chairs of local partnerships' board of directors, and seven shall be staff of local partnerships. Members shall be chosen by the Chair of the North Carolina Partnership from a pool of candidates nominated by their respective boards of directors. The local partnership advisory committee shall serve in an advisory capacity to the North Carolina Partnership and shall establish a schedule of regular meetings. Members shall serve two-year terms and may not serve more than two consecutive terms. Members shall be chosen from local partnerships on a rotating basis. The advisory committee shall annually elect a chair from among its members.
- (9) The North Carolina Partnership shall report (i) quarterly to the Joint Legislative Commission on Governmental Operations and (ii) to the General Assembly and the Governor on the ongoing progress of all the local partnerships' work, including all details of the use to which the allocations were put, and on the continuing plans of the North Carolina Partnership and of the Department, together with legislative proposals, including

proposals to implement the program statewide."

(c) G.S. 143B-168.13(a) reads as rewritten:

"(a) The Department shall:

- (1) Develop a statewide process, in cooperation with the North Carolina Partnership, to select the local demonstration projects. The first 12 local demonstration projects developed and implemented shall be located in the 12 congressional districts, one to a district. The locations of subsequent selections of local demonstration projects shall represent the various geographic areas of the State.
- (2) Develop, in cooperation with the North Carolina Partnership, Develop and conduct a statewide needs and resource assessment for each county. Of the funds appropriated to it to implement this Part, the Department may make available funds to each county for one year to an appropriate private nonprofit entity or to the county to perform this assessment. every third year, beginning in the 1997-98 fiscal year. This needs assessment shall be conducted in cooperation with the North Carolina Partnership and with the local partnerships. The data and findings of this needs assessment shall form the basis for annual program plans developed by local partnerships and approved by the North Carolina Partnership.
- (3) Provide technical and administrative assistance to local partnerships, particularly during the first year after they are selected under this Part to receive State funds. The Department, at any time, may authorize the North Carolina Partnership or a governmental or public entity to do the contracting for one or more local partnerships. After a local partnership's first year, the Department may allow the partnership to contract for itself.
- (4) Adopt, in cooperation with the North Carolina Partnership, any rules necessary to implement this ~~Part, including rules to ensure that no State funds or local funds used to supplant these State funds shall be used for personnel sick leave and annual leave benefits not allowed to State employees.~~ Part, including rules to ensure that State leave policy is not applied to the North Carolina Partnership and the local partnerships. In order to allow local partnerships to focus on the development of long-range plans in their initial year of funding, the Department may adopt rules that limit the categories of direct services for young children and their families for which funds are made available during the initial year.
- (5) ~~Report (i) quarterly to the Joint Legislative Commission on~~

~~Governmental Operations and (ii) to the General Assembly and the Governor by April 1, 1994, and by March 1, 1995, on the ongoing results of all the local demonstration projects' work, including all details of the use to which the allocations were put, and on the continuing plans of the North Carolina Partnership and of the Department, together with legislative proposals, including proposals to implement the program statewide.~~

- (6) Annually update its funding formula using the most recent data available. These amounts shall serve as the basis for determining 'full funding' amounts for each local partnership."

(d) (1) G.S. 143B-168.14(a) reads as rewritten:

"(a) In order to receive State funds, the following conditions shall be met:

- (1) Each local demonstration project shall be coordinated by a new local partnership responsible for developing a comprehensive, collaborative, long-range plan of services to children and families in the service-delivery area. The board of directors of each local partnership shall consist of members including representatives of public and private nonprofit health and human service agencies, day care providers, the business community, foundations, county and municipal governments, local education units, and families. The Department, in cooperation with the North Carolina Partnership, may specify in its requests for applications the local agencies that shall be represented on a local board of directors. No existing local, private, nonprofit 501(c)(3) organization, other than one established on or after July 1, 1993, and that meets the guidelines for local partnerships as established under this Part, shall be eligible to apply to serve as the local partnership for the purpose of this Part.
- (2) Each local partnership shall agree to adopt procedures for its operations that are comparable to those of Article 33C of Chapter 143 of the General Statutes, the Open Meetings Law, and Chapter 132 of the General Statutes, the Public Records Law, and provide for enforcement by the Department.
- (3) Each local partnership shall adopt procedures to ensure that all personnel who provide services to young children and their families under this Part know and understand their responsibility to report suspected child abuse, neglect, or dependency, as defined in G.S. 7A-517.
- (4) Each local partnership shall participate in the uniform, standard fiscal accountability plan developed and adopted by the North Carolina Partnership."

(2) Local partnerships shall be in compliance with this subsection effective July 1, 1997.

(e) G.S. 143B-168.15 reads as rewritten:

"§ 143B-168.15. Use of State funds.

(a) State funds allocated to local projects for services to children and families shall be used to meet assessed needs, expand coverage, and improve the quality of these services. The local plan shall address the assessed needs of all children to the extent feasible. It is the intent of the General Assembly that the needs of both young children below poverty who remain in the home, as well as the needs of young children below poverty who require services beyond those offered in child care settings, be addressed. Therefore, as local partnerships address the assessed needs of all children, they should devote an appropriate amount of their State allocations, considering these needs and other available resources, to meet the needs of children below poverty and their families.

(b) Depending on local, regional, or statewide needs, funds may be used to support activities and services that shall be made available and accessible to providers, children, and families on a voluntary basis. Of the funds allocated to local partnerships that are designated by the Secretary for direct services, seventy-five percent (75%) shall be used for any one or more of the following activities and services:

- (1) Child day care services, including:
 - a. Child day care subsidies to reduce waiting lists;
 - b. Raising the county child day care subsidy rate to the State market rate, if applicable, in return for improvements in the quality of child day care services;
 - c. Raising the income eligibility for child day care subsidies to seventy-five percent (75%) of the State median family income;
 - d. Start-up funding for child day care providers;
 - e. Assistance to enable child day care providers to conform to licensing and building code requirements;
 - f. Child day care resources and referral services;
 - g. Enhancement of the quality of child day care provided;
 - h. Technical assistance for child day care providers;
 - i. Quality grants for child day care centers or family child day care homes;
 - j. Expanded services or enhanced rates for children with special needs;
 - k. Head Start services;
 - l. Development of comprehensive child day care services that include child health and family support;
 - m. Activities to reduce staff turnover;

- n. Activities to serve children with special needs;
 - o. Transportation services related to providing child day care services;
 - p. Evaluation of plan implementation of child day care services; and
 - q. Needs and resources assessments for child day care services.
- (2) Family- and child-centered services, including early childhood education and child development services, including:
- a. Enhancement of the quality of family- and child-centered services provided;
 - b. Technical assistance for family- and child- centered services;
 - c. Needs and resource assessments for family- and child-centered services;
 - d. Home-centered services; and
 - e. Evaluation of plan implementation of family- and child-centered services.
- (3) Other appropriate activities and services for child day care providers and for family- and child-centered services, including:
- a. Staff and organizational development, leadership and administrative development, technology assisted education, and long-range planning; and
 - b. Procedures to ensure that infants and young children receive needed health, immunization, and related services.
- (c) Long-term plans for local projects that do not receive their full allocation in the first year, other than those selected in 1993, should consider how to meet the assessed needs of low-income children and families within their neighborhoods or communities. These plans also should reflect a process to meet these needs as additional allocations and other resources are received.
- (d) State funds designated ~~by the Secretary~~ for start-up and related activities may be used for capital expenses or to support activities and services for children, families, and providers. State funds designated by the Secretary to support activities and direct services for children, families, and providers shall not be used for major capital expenses unless the ~~Secretary~~ North Carolina Partnership approves this use of State funds based upon a finding that a local partnership has demonstrated that (i) this use is a clear priority need for the local plan, (ii) it is necessary to enable the local partnership to provide services and activities to underserved children and families, and (iii) the local partnership will not otherwise be able to meet this priority need by using State or federal funds available to that ~~county~~. local partnership. The funds

approved for capital projects in any two consecutive fiscal years may not exceed ten percent (10%) of the total funds for direct services allocated to a local partnership in those two consecutive fiscal years.

(e) State funds allocated to local partnerships shall not supplant current expenditures by counties on behalf of young children and their families, and maintenance of current efforts on behalf of these children and families shall be sustained. State funds shall not be applied without the Secretary's approval where State or federal funding sources, such as Head Start, are available or could be made available to that county.

(f) Local partnerships may carry over funds from one fiscal year to the next, subject to the following conditions:

- (1) Local partnerships in their first year of receiving direct services funding may, on a one-time basis only, carry over any unspent funds to the subsequent fiscal year.
- (2) Any local partnership may carry over any unspent funds to the subsequent fiscal year, subject to the limitation that funds carried over may not exceed the increase in funding the local partnership received during the current fiscal year over the prior fiscal year.

(g) Not less than thirty percent (30%) of each local partnership's direct services allocation shall be used to expand child day care subsidies. To the extent practicable, these funds shall be used to enhance the affordability, availability, and quality of child day care services as described in this section."

(f) Section 27A of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 27A. Notwithstanding any other provision of law, the Early Childhood Education and Development Initiatives, under Part 10B of Article 3 of Chapter 143B of the General Statutes, are subject to the following terms and conditions for the 1995-97 fiscal biennium:

(1) Accountability.

The intent of the General Assembly is to strengthen the accountability of the Department of Human Resources, the North Carolina Partnership for Children, Inc., and the local partnerships in the expenditure of public funds and achievement of Program goals for the Early Childhood Education and Development Initiatives Program, as authorized under Part 10B of Article 3 of Chapter 143B of the General Statutes. The importance of education as a part of all initiatives in this Program shall be emphasized.

In order to accomplish this level of accountability, the Joint Legislative Commission on Governmental Operations shall, consistent with current law, be the legislative oversight body for the Program. The President Pro Tempore of the

Senate and the Speaker of the House of Representatives may appoint a subcommittee of the Joint Legislative Commission on Governmental Operations to carry out this function. This subcommittee may conduct all initial reviews of plans, reports, and budgets relating to the Program and shall make recommendations to the Joint Legislative Commission on Governmental Operations.

a. Existing Partnerships - Local partnerships receiving State funds shall submit a Certification Annual Report on April 1 of each year to the North Carolina Partnership for Children, Inc., the Joint Legislative Commission on Governmental Operations, or any committee designated by Joint Legislative Commission on Governmental Operations. Administrative costs shall be equivalent to, on an average statewide basis for all local partnerships, not more than eight percent (8%) of the total statewide allocation to all local partnerships. Quality incentive grants as prescribed in the Smart Start Performance Audit recommendations shall be administered at the partnership level. A definition of administrative costs shall be determined by the independent firm selected under sub-subdivision b. of this subdivision.

b. Program Audit - The Joint Legislative Commission on Governmental Operations shall select an independent firm recognized in performance auditing to conduct an independent performance audit of the first two years of operations of the 24 existing partnerships and of the administration of the Program by the Department of Human Resources. The audit's directives shall be determined by the Joint Legislative Commission on Governmental Operations and the independent firm. An interim program and performance audit report shall be submitted to the Joint Legislative Commission on Governmental Operations by January 1, 1996, and a final program and performance audit report shall be submitted to the Joint Legislative Commission on Governmental Operations by April 1, 1996. A definition of administrative costs shall be determined by the independent firm. Only in-kind contributions that are quantifiable, as determined by the independent firm, may be applied to the in-kind match requirement. The match requirement in subdivision (3) of this

section shall be studied by the independent firm and recommendations for revision, if any, shall be reported to the Joint Legislative Commission on Governmental Operations.

e. ~~The North Carolina Partnership for Children, Inc., shall continue to make quarterly reports to the Joint Legislative Commission on Governmental Operations as provided for in G.S. 143B-168.13(5).~~

d. ~~New partnerships~~ Partnerships - In subsequent fiscal biennia, any new local partnership, before receiving State funds, shall be required to submit a detailed plan for expenditure of State funds for appropriate programs to the North Carolina Partnership for Children, Inc., and the Joint Legislative Commission on Governmental Operations for approval in April of the fiscal year in which the local partnership received planning funds. State funds to implement the programs shall not be allocated to the local partnership until the program plan is approved by the North Carolina Partnership for Children, Inc., after consultation with the Joint Legislative Commission on Governmental Operations. After receipt of initial program funds, local partnerships shall then be required to submit annual Certification Reports as provided for in sub-subdivision a. of this subdivision.

e. Contracting for Services - The North Carolina Partnership for Children, Inc., and all local Partnerships shall use competitive bidding practices in contracting for goods and services on all contract amounts of \$1,500 and above, and where practicable, for amounts of less than \$1,500.

f. Role of North Carolina Partnership for Children, Inc. - The role of the North Carolina Partnership for Children, Inc., shall be expanded to incorporate all the aspects of the new role prescribed for the Partnership in the Smart Start Performance Audit recommendations and to provide technical assistance to local partnerships, assess outcome goals for children and families, ensure that statewide goals and legislative guidelines are being met, help establish policies and outcome measures, obtain non-State resources for early childhood and family services, and document and verify the cumulative contributions received by the partnerships.

(2) Funding.

- a. Existing ~~partnerships~~ Partnerships - All 24 local partnerships that received State funds during the 1993-95 biennium shall receive their State funds proposed for the 1995-96 fiscal year. Existing partnerships shall file budgets and plans for review by the North Carolina Partnership for Children, Inc. Funds for the 1996-97 fiscal year shall be available after the Joint Legislative Commission on Governmental Operations has reviewed the independent evaluation discussed in sub-subdivision (1)b. of this subdivision, and the Partnership has approved these plans and budgets in consultation with the Joint Legislative Commission on Governmental Operations. These 24 partnerships shall be required to submit a Certification Annual Report as provided in sub-subdivision a. of subdivision (1) of this ~~section~~, subsection beginning in April 1997.
- b. New ~~partnerships~~ Partnerships - Funds for planning, up to a maximum of \$3,500,000, may be made available to the ~~42~~ new partnerships in the 1995-96 fiscal year out of the continuation monies designated for the program. If the performance audit report is determined to be satisfactory to the Joint Legislative Commission on Governmental Operations, funding and other recommendations for expansion shall be made to the General Assembly by the Joint Legislative Commission on Governmental Operations for the 1996-97 fiscal year.
- c. Department of Human Resources; State-level administrative funding in the 1995-96 fiscal year and the 1996-97 fiscal year - Of the funds appropriated to the Department of Human Resources for Early Childhood Education and Development Initiatives for the 1995-97 fiscal biennium:
 1. No funds shall be used for State education technology;
 2. The Department of Human Resources shall receive \$500,000 for the 1995-96 fiscal year and ~~\$250,000~~ \$500,000 for the 1996-97 fiscal year for State administration;
 3. The Joint Legislative Commission on Governmental Operations shall receive \$500,000 for the 1995-96 fiscal year for the

independent performance audit contract;
and

4. Funding for the North Carolina Partnership for Children, Inc., shall be \$700,000 for each fiscal year of the biennium: the 1995-96 fiscal year and shall be \$1,700,000 for the 1996-97 fiscal year; and
5. Funding for the Frank Porter Graham Child Development Center's evaluation of the Early Childhood Education and Development Initiatives shall be increased to \$850,000 for the 1996-97 fiscal year.

(3) Matching requirement.

The North Carolina Partnership for Children, Inc., and all local partnerships shall, in the aggregate, be required to match no less than 50% of the total amount budgeted for the Early Childhood Education and Development Initiatives in each fiscal year of the biennium as follows: contributions of cash equal to at least ten percent (10%) and in-kind donated resources equal to no more than ten percent (10%) for a total match requirement of twenty percent (20%) for each fiscal year. Only in-kind contributions that are quantifiable, as determined by the independent auditing firm, shall be applied to the in-kind match requirement.

Failure to obtain a twenty percent (20%) match by May 1 of each fiscal year shall result in a proportionate reduction in the appropriation for the Early Childhood Education and Development Initiatives Program for the next fiscal year. The North Carolina Partnership for Children, Inc., shall be responsible for compiling information on the private cash and in-kind contributions into a report that is submitted to the Joint Legislative Commission on Governmental Operations pursuant to G.S. 143B-168.13(5) in a format that allows verification by the Department of Revenue. The same match requirements shall apply to any expansion funds appropriated by the General Assembly."

(g) Article 121 of Chapter 120 of the General Statutes is repealed.

(h) Section 23.13 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23.13. Counties participating in the Early Childhood Education and Development Initiatives authorized by Part 10B of Article 3 of Chapter 143B of the General Statutes may use the county's allocation of State and federal child care funds to subsidize child care according to the county's Early

Childhood Education and Development Initiatives Plan as approved by the ~~Department of Human Resources~~. North Carolina Partnership for Children, Inc. The use of federal funds shall be consistent with the appropriate federal regulations. Day care providers shall, at a minimum, comply with the applicable requirements for State licensure or registration pursuant to Article 7 of Chapter 110 of the General Statutes, with other applicable requirements of State law or rule, including rules adopted for nonregistered day care by the Social Services Commission, and with applicable federal regulations."

(i) Notwithstanding any policy to the contrary, the Frank Porter Graham Child Development Center may use any method legally available to it to track children who are participating or who have participated in any Early Childhood Education and Development Initiative in order to carry out its ongoing evaluation of the Early Childhood Education and Development Initiatives Program.

(j) In addition to the specific changes set forth in subsections (b) through (i) of this section, the Department of Human Resources and the North Carolina Partnership also shall do the following:

- (1) Plan and prepare for effective Early Childhood Initiatives Program implementation in those counties not yet phased into the overall program.
- (2) Maintain the current State level of administrative support for the Early Childhood Initiatives Program for 1996-97.
- (3) Develop a statewide resource and referral database.
- (4) Continue the evaluation of the Early Childhood Initiatives Program by the Frank Porter Graham Child Development Center.

(k) There is allocated from the funds appropriated to the Department of Human Resources, Division of Child Development, in this act, the sum of ten million one hundred fifty thousand dollars (\$10,150,000) for the 1996-97 fiscal year, to be used as follows:

- (1) Of the 24 partnerships existing as of 1995-96, funds for direct services for the Mecklenburg County and Cumberland County partnerships shall be increased a total of \$1,400,000. The North Carolina Partnership, Inc. shall determine the relative proportion of this increased funding that the Mecklenburg County and Cumberland County partnerships will receive. These funds shall be for expansion of programs, effective January 1, 1997;
- (2) For the new partnerships planned for as of 1995-96, funds shall be \$7,550,000. These funds shall be for expansion of programs, effective January 1, 1997; and
- (3) For the new partnerships planned for as of 1996-97, funds shall be \$1,200,000 for planning purposes.

Requested by: Representatives Gardner, Hayes, Howard, Berry, Nye, Russell, Senators Martin of Guilford, Lucas

AFDC FRAUD CONTROL PROGRAM/DEBT SETOFF/CLIENT PROTECTION

Sec. 24.30. (a) The Department of Human Resources, immediately, shall elect the optional Aid to Families with Dependent Children (AFDC) Fraud Control Program pursuant to 45 C.F.R. 235.112. This program is deemed to apply to Work First Cash Assistance, effective July 1, 1996, as well as to AFDC, pursuant to the federal waivers received by the Department of Human Resources on February 5, 1996.

(b) The Department of Human Resources shall award incentive bonuses to each county for each of the county's AFDC fraud and Work First Cash Assistance claims recouped pursuant to the AFDC Fraud Control Program. Each incentive bonus shall equal one-half of the State's distributive share of the total AFDC and Work First Cash Assistance benefit amount that was determined fraudulent and recouped pursuant to the AFDC Fraud Control Program.

(c) The Department of Human Resources, Division of Social Services, shall develop and implement a statewide automated system to track AFDC and Work First Cash Assistance fraud claims and collect such claims by any appropriate method, including debt setoff pursuant to Chapter 105A of the General Statutes.

(d) G.S. 105A-2(1)r. reads as rewritten:

"r. The North Carolina Department of Human Resources when in the performance of its ~~intentional program violation~~ collection duties for intentional program violations and violations due to inadvertent household error under the Food Stamp Program enabled by Chapter 108A, Article 2, Part 5, and any county operating the same Program at the local level, when and only to the extent such a county is in the performance of Food Stamp Program ~~intentional program violation~~ collection functions.

The North Carolina Department of Human Resources when, in the performance of its duties under the Aid to Families with Dependent Children Program or the Aid to Families with Dependent Children -- Emergency Assistance Program provided in Part 2 of Article 2 of Chapter 108A or the Work First Cash Assistance Program established pursuant to the federal waivers received by the Department on February 5, 1996, or under the State-County Special Assistance for Adults Program provided in Part 3 of Article 2 of Chapter 108A, it seeks to collect public assistance payments obtained through an intentional false statement, intentional

misrepresentation, ~~or~~ intentional failure to disclose a material ~~fact; fact, or inadvertent household error:~~".

(e) The Department of Human Resources shall ensure that persons charged with, or suspected of, AFDC fraud not be subjected to any of the following:

- (1) Coercion;
- (2) Discrimination in targeting persons for civil action or criminal prosecution; or
- (3) Civil investigation or civil action without being (i) properly informed as to those matters that might arise out of this investigation or action that might result in criminal prosecution and (ii) in such a case, being properly advised of their right not to incriminate themselves.

(f) The Department shall fund this section from funds available to it.

Requested by: Senators Martin of Guilford, Lucas, Representatives Gardner, Nye, Russell, Berry, Howard

FOOD STAMP FELONY FRAUD

Sec. 24.31. (a) G.S. 108A-53(a), as amended by Section 19.5(n) of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(a) Any person, whether provider or recipient or person representing himself as such, who knowingly obtains or attempts to obtain, or aids or abets any person to obtain by means of making a willfully false statement or representation or by impersonation or by failing to disclose material facts or in any manner not authorized by this Part or the regulations issued pursuant thereto, transfers with intent to defraud any food stamps or authorization cards to which ~~he~~ that person is not entitled in the amount of ~~one thousand dollars (\$1,000)~~ four hundred dollars (\$400.00) or less shall be guilty of a Class 1 misdemeanor. Whoever knowingly obtains or attempts to obtain, or aids or abets any person to obtain by means of making a willfully false statement or representation or by impersonation or by failing to disclose material facts or in any manner not authorized by this Part or the regulations issued pursuant thereto, transfers with intent to defraud any food stamps or authorization cards to which he is not entitled in an amount more than ~~one thousand dollars (\$1,000)~~ four hundred dollars (\$400.00) shall be guilty of a Class I felony."

(b) This section becomes effective December 1, 1996, and applies to offenses committed on or after that date.

Requested by: Representative Esposito, Senator Martin of Guilford

MEDICAID STUDY EXTENSION

Sec. 24.32. Section 23.5A(d) of Chapter 507 of the 1995 Session

Laws reads as rewritten:

"(d) The task force shall report the results of its study, together with any legislative proposals and cost analyses, to the 1995 General Assembly, Regular Session 1996, within a week of its ~~convening or~~ convening, to a special session of the 1995 General Assembly called to deal with federal block grant funding ~~issues: issues~~, or to the 1997 General Assembly within a week of its convening."

PART 25. DEPARTMENT OF AGRICULTURE

Requested by: Representatives Mitchell, Weatherly, Miner, Senator Martin of Pitt

RELEASE THE STATE'S REVERSIONARY INTEREST IN THE PROPERTY OF FUQUAY-VARINA AMERICAN LEGION POST 116

Sec. 25.1. (a) The General Assembly finds:

- (1) On April 28, 1941, the United States deeded to the State Board of Education a parcel of land north of Fuquay-Varina in Wake County, that deed being recorded at Book 868, page 171, Wake County Registry, and that deed had a right of termination by the United States if the property was not used for facilities which further the rehabilitation or education of the rural people of North Carolina;
- (2) On April 1, 1949, as approved by the Council of State, the State of North Carolina deeded to trustees for the use and benefit of Fuquay Springs, North Carolina, Post 116 of the American Legion, the same parcel with the same covenant as to the use of the property, that deed being recorded at Book 1019, page 172, Wake County Registry; and
- (3) The Congress of the United States, in Private Law 428, approved by President Eisenhower on June 21, 1954, directed the Secretary of Agriculture to convey to those trustees by quitclaim deed its remaining interest in the property; and
- (4) By deed dated November 30, 1962, and recorded at Book 1533, page 54, Wake County Registry, the United States conveyed its remaining interest in the property to the North Carolina Rural Development Corporation, an agency of the State of North Carolina under G.S. 137-31.1; and
- (5) American Legion Post 116 of Fuquay-Varina desires to make improvements to the property, but financing such improvements is complicated by the restriction on the property.

(b) The State of North Carolina and the North Carolina Rural Rehabilitation Corporation shall convey to the grantees of the deed recorded

at Book 1019, page 172, Wake County Registry, by quitclaim deed, all of the right, title, and interest they have retained in property deeded by the State of North Carolina, that deed being recorded at Book 1019, page 172, Wake County Registry.

Requested by: Representatives Mitchell, Weatherly, Senators Kerr, Martin of Pitt

REMOVE SUNSET FOR GRAPE GROWERS' EXCISE TAX DISTRIBUTION

Sec. 25.2. (a) Section 3 of Chapter 836 of the 1987 Session Laws reads as rewritten:

"Sec. 3. This act shall become effective August 1, ~~1987, and shall terminate June 30, 1997.~~ 1987."

(b) Section 12(b) of Chapter 1036 of the 1987 Session Laws, as amended by Section 176(b) of Chapter 900 of the 1991 Session Laws, is repealed.

(c) This section is effective upon ratification.

Requested by: Representatives Mitchell, Weatherly, Senator Martin of Pitt

TIMBER RECEIPTS FOR CERTAIN CAPITAL PROJECTS

Sec. 25.3. The sum of one million three hundred seventy-six thousand dollars (\$1,376,000) shall be transferred from the Department of Agriculture's timber sales capital improvement account, established pursuant to G.S. 146-30, to the Department of Agriculture for the 1996-97 fiscal year and shall be used for the following capital improvement projects at research stations and State farms:

- (1) \$387,400 for an addition to the swine facility at the Cherry Farm Unit.
- (2) \$126,700 for a farm equipment shelter at the Cherry Farm Unit.
- (3) \$329,300 for a shop and storage facility at the Upper Coastal Plain Station.
- (4) \$106,900 for a dairy milking parlor at the Caswell Farm Unit.
- (5) \$132,300 for research plot land at the Upper Mountain Station.
- (6) \$150,000 for an irrigation system at the Mountain Station.
- (7) \$143,400 for an office building at the Oxford Station.

Requested by: Representatives Mitchell, Weatherly, Senators Martin of Pitt, Jordan, Kerr

CATTLE AND LIVESTOCK EXPOSITION FUNDS

Sec. 25.4. Section 40 of Chapter 769 of the 1993 Session Laws, as amended by subsection (b) of Section 24 of Chapter 507 of the 1995 Session

Laws, reads as rewritten:

"Sec. 40. Any unencumbered funds that were appropriated to the Department of Agriculture for the 1994-95 fiscal year for planning the construction of the Cattle and Livestock Exposition Center ~~shall be and~~ placed in a reserve in the Department of Agriculture ~~until further allocated by the 1995 General Assembly, Regular Session 1996.~~ shall be transferred to the Office of State Budget and Management to be used for land acquisition, planning, and construction of the Cattle and Livestock Exposition Center. The Center will house livestock shows and exhibits, educational programs, and a laboratory for embryo transfer research, semen evaluation, and livestock blood work."

PART 26. DEPARTMENT OF COMMERCE

Requested by: Representatives Mitchell, Weatherly, Nichols, Baker, Senators Martin of Pitt, Jordan, Kerr

GLOBAL TRANSPARK AUTHORITY/AUDIT BY STATE AUDITOR

Sec. 26. G.S. 63A-23 reads as rewritten:

"§ 63A-23. Annual and quarterly reports.

The Authority shall, promptly following the close of each fiscal year, submit an annual report of its activities for the preceding year to the Governor, the General Assembly, and the Local Government Commission. Each report shall be accompanied by an audit of its books and accounts. The audit shall be conducted by the State Auditor. The costs of all audits, ~~whether conducted by the State Auditor's staff or contracted with a private auditing firm,~~ audits shall be paid from funds of the Authority.

The Authority shall submit quarterly reports to the Joint Legislative Commission on Governmental Operations. The reports shall summarize the Authority's activities during the quarter and contain any information about the Authority's activities that is requested by the Commission."

Requested by: Representatives Mitchell, Weatherly, Senator Martin of Pitt
WORLD TRADE CENTER FUNDS

Sec. 26.1. Of the funds appropriated in this act to the Department of Commerce, the sum of two hundred thousand dollars (\$200,000) for the 1996-97 fiscal year shall be allocated to the World Trade Center North Carolina (WTCNC) to support international trade education programs for small and medium-sized businesses. The WTCNC shall report to the Joint Legislative Commission on Governmental Operations on the use of these funds on or before March 1 of each fiscal year, and more frequently as requested by the Commission.

Requested by: Representatives Mitchell, Weatherly, Senators Martin of Pitt,

Ballance, Jordan, Kerr

FUNDS FOR ECONOMIC DEVELOPMENT

Sec. 26.2. Of the funds appropriated in this act to the Department of Commerce, the sum of one million five hundred twenty-five thousand dollars (\$1,475,000) for the 1996-97 fiscal year shall be allocated as follows:

- (1) \$275,000 to the Land Loss Prevention Project, Inc., to provide free legal representation to low-income, financially distressed small farmers. The Land Loss Prevention Project, Inc., shall not use these funds to represent farmers who have income and assets that would make them financially ineligible for legal services pursuant to Title 45, Part 1611 of the Code of Federal Regulations. The Land Loss Prevention Project, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;
- (2) \$145,000 to the North Carolina Coalition of Farm and Rural Families, Inc., for its Small Farm Economic Development Project. These funds shall be used to foster economic development within the State's rural farm communities by offering marketing and technical assistance to small and limited resource farmers. The North Carolina Coalition of Farm and Rural Families, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;
- (3) \$780,000 to the North Carolina Institute for Minority Economic Development, Inc., to foster minority economic development within the State through policy analysis, information and technical assistance, resource expansion and support of community-based demonstration initiatives. The North Carolina Institute for Minority Economic Development, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds; and
- (4) \$275,000 to the North Carolina Minority Support Center (formerly known as the Minority Credit Union Support Center) for technical assistance to community-based minority credit unions. The North Carolina Minority Support Center shall report to the Credit Union Division of the Department of Commerce and to the Joint Legislative Commission on

Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Department or the Commission, on the use of these funds.

Requested by: Representatives Mitchell, Weatherly, Senator Martin of Pitt MCNC

Sec. 26.3. Section 25.9 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 25.9. (a) MCNC shall report on all of its programs including contractual services for Supercomputer and the Research and Education Network to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on or before March 1 of each fiscal year, and more frequently as requested by the Commission. The reports shall include information on the activities and accomplishments during the past fiscal year, itemized expenditures during the past fiscal year with sources of funding, planned activities, and accomplishments for at least the next 12 months, and itemized anticipated expenditures with sources of funding for the next 12 months. The report on the activities of the Supercomputer and the Research and Education Network ~~program programs~~ shall identify the ~~users of the Supercomputer, users,~~ the major projects conducted by the users, and the ~~potential~~ benefits of the projects.

(b) MCNC shall provide a report containing detailed budget information to the Office of State Budget and Management in the same manner as State departments and agencies in preparation for biennium budget requests. Specific salary information will be provided upon written request by the Chairs of the Joint Legislative Commission on Governmental Operations or the Chairs of the House Appropriations Subcommittee on Natural and Economic Resources and the Chairs of the Senate Appropriations Committee on Natural and Economic Resources.

(c) The funds appropriated in this act to MCNC shall be used as follows:

	<u>FY 1995-96</u>	<u>FY 1996-97</u>
Microelectronics Program	\$5,362,523	\$5,362,523 <u>4,966,721</u>
Supercomputer	9,576,319	9,576,319 <u>798,275</u>
Telecommunications	4,826,158	4,826,158 <u>-0-</u>

(d) Of the funds appropriated to MCNC for the Microelectronics Program, ~~five million three hundred sixty-two thousand five hundred twenty-three dollars (\$5,362,523) in each fiscal year~~ four million nine hundred sixty-six thousand seven hundred twenty-one dollars (\$4,966,721) for the 1996-97 fiscal year is contingent upon a dollar-for-dollar match in non-State funds.

(e) If MCNC finds it necessary to make changes in the program allocations specified in subsection (c) of this section, MCNC shall report such changes to the Joint Legislative Commission on Governmental Operations 30 days before the reallocation.

~~(f) Funds appropriated in this act to MCNC for Migration of Current Network to the North Carolina Information Highway System (NCIHS) shall be used as follows:~~

- ~~(1) To cover the costs of connecting and operating the North Carolina Research and Education Network through the North Carolina Information Highway so that universities and research centers will continue to have the capability currently available through the North Carolina Research and Education Network;~~
- ~~(2) For program support; and~~
- ~~(3) For MCNC to serve as gateway to the North Carolina Information Highway for the 18 sites. Funds transferred in this act from the Department of Commerce to the UNC Board of Governors shall be used for contracting the purchase of supercomputing and research and education networking services to continue the provision of these services at North Carolina universities and colleges.~~

Requested by: Representatives Mitchell, Weatherly, Senators Martin of Pitt, Ballance, Jordan, Kerr

ECONOMIC DEVELOPMENT FUNDS

Sec. 26.4. Section 25.4 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 25.4. (a) Definition. -- For purposes of this section, the term 'community development corporation' means a nonprofit corporation:

- (1) Chartered pursuant to Chapter 55A of the General Statutes;
- (2) Tax-exempt pursuant to section 501(c)(3) of the Internal Revenue Code of 1986;
- (3) Whose primary mission is to develop and improve low-income communities and neighborhoods through economic and related development;
- (4) Whose activities and decisions are initiated, managed, and controlled by the constituents of those local communities; and
- (5) Whose primary function is to act as deal-maker and packager of projects and activities that will increase their constituencies' opportunities to become owners, managers, and producers of small businesses, affordable housing, and jobs designed to produce positive cash flow and curb blight in the target community.

(b) Of the funds appropriated in this act to the Rural Economic Development Center, Inc., the sum of ~~three million eight hundred thousand dollars (\$3,800,000) for the 1995-96~~ two million seven hundred thousand dollars (\$2,700,000) for the 1996-97 fiscal year shall be placed in an

Economic and Community Development Program Reserve. Funds shall be allocated from the Reserve by the Rural Economic Development Center, Inc. as follows:

- (1) \$1,350,000 for community development grants to support community development projects and activities within the State's minority communities. Any community development corporation as defined in this section is eligible to apply for funds. The Rural Economic Development Center shall establish performance-based criteria for determining which community development corporations will receive a grant and the grant amount. Funding will also be allocated to the North Carolina Association of Community Development Corporations, Inc. The Rural Economic Development Center, Inc., shall allocate these grant funds from the Economic and Community Development Program Reserve as follows:
 - a. \$900,000 for direct grants to the local community development corporations that have previously received State funds for this purpose to support operations and project activities,
 - b. \$250,000 for direct grants to local community development organizations that have not previously received State funds,
 - c. \$150,000 to the North Carolina Association of Community Development Corporations, Inc. to provide training, technical assistance, resource development, project assistance, and support for local community development corporations statewide, and
 - d. \$50,000 to the Rural Economic Development Center, Inc. to be used to cover expenses in administering this section;
- (2) ~~\$275,000 to the Minority Credit Union Support Center for technical assistance to community-based minority credit unions;~~
- (3) \$250,000 to the Microenterprise Loan Program to support the loan fund and operations of the Program;
- (4) ~~\$100,000~~ \$150,000 allocated as follows:
 - a. \$25,000 to the Opportunities Industrialization Center of Wilson, Inc., for its ongoing job training programs;
 - b. \$25,000 to Opportunities Industrialization Center, Inc., in Rocky Mount, for its ongoing job training programs;
 - c. \$25,000 to Pitt-Greenville Opportunities Industrialization Center, Inc. for its ongoing job training programs; and
 - d. \$25,000 to the Opportunities Industrialization Center of

~~Lenoir, Greene, and Jones Counties; Counties; and~~
e. \$50,000 to the Opportunities Industrialization Center of Elizabeth City, Inc.

Funds allocated pursuant to sub-subdivisions a. through d. of this subdivision shall be in addition to funds allocated pursuant to Section 25.12 of Chapter 324 of the 1995 Session Laws. Reporting requirements of that section shall apply to all funds allocated under this subdivision; and

- (5) ~~\$400,000~~ \$950,000 shall be used for a program to provide supplemental funding for matching requirements for economic development in economically depressed areas. The Center shall use the funds to make grants to local governments and nonprofit corporations to provide funds necessary to match federal grants or other grants for necessary economic development projects and activities in economically depressed areas. The grant recipients shall be selected on the basis of ~~need~~; need. Of the funds allocated under this subdivision, the sum of up to one hundred fifty thousand dollars (\$150,000) shall be used to address potential and actual threats to the public health.
- (6) ~~\$275,000 to the Land Loss Prevention Project, Inc., to provide free legal representation to low-income, financially distressed small farmers. The Land Loss Prevention Project, Inc., shall not use these funds to represent farmers who have income and assets that would make them financially ineligible for legal services pursuant to Title 45, Part 1611 of the Code of Federal Regulations. The Land Loss Prevention Project, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;~~
- (7) ~~\$245,000 to the North Carolina Coalition of Farm and Rural Families, Inc., for its Small Farm Economic Development Project. These funds shall be used to foster economic development within the State's rural farm communities by offering financial, marketing, and technical assistance to small and limited resource farmers. The North Carolina Coalition of Farm and Rural Families, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;~~
- (8) ~~\$780,000 to the North Carolina Institute for Minority~~

~~Economic Development, Inc., to foster minority economic development within the State through policy analysis, information and technical assistance, resource expansion and support of community-based demonstration initiatives. The North Carolina Institute for Minority Economic Development, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;~~

- ~~(9) \$100,000 to the Lake Gaston Economic Development Corporation for planning and preliminary development of a conference center and related facilities for the Lake Gaston area; and~~
- ~~(10) \$25,000 to the Roanoke-Chowan Community College for its sheltered workshop program.~~

(c) The Rural Economic Development Center, Inc. shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the uses of funds allocated pursuant to subdivisions (1), ~~(2), (3), (4), (5), (9), and (10)~~ (3), (4), and (5) of subsection (b) of this section."

Requested by: Senators Martin of Pitt, Kerr, Jordan, Representatives Mitchell, Weatherly

INDUSTRIAL DEVELOPMENT FUND UTILITY ACCOUNT

Sec. 26.5. (a) Of the funds appropriated in this act to the Department of Commerce for the 1996-97 fiscal year, the sum of two million dollars (\$2,000,000) shall be deposited to and used for the Utility Account established under G.S. 143B-437A(b1).

(b) In addition to the reporting requirements of G.S.143B-437A, the Department of Commerce shall report annually to the General Assembly concerning the payments made from the Utility Account and the impact of the payments on job creation in the State. The Department of Commerce shall also report quarterly to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the use of the moneys in the Utility Account including information regarding to whom payments were made, in what amounts, and for what purposes.

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

TECHNOLOGICAL DEVELOPMENT AUTHORITY FUNDS/ INVESTMENT

Sec. 26.6. G.S. 96-5 is amended by adding the following new subsection to read:

"(g) Notwithstanding subsection (f) of this section, the State Treasurer may invest not more than a total of twenty-five million dollars (\$25,000,000) of funds in the Employment Security Commission Reserve Fund established under subsection (f) of this section in securities issued by the North Carolina Technological Development Authority, Inc., the proceeds for which are directed to support investment in venture capital funds. The State Treasurer shall report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on October 1 and March 1 of each fiscal year on investments made pursuant to this subsection."

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

CENTER FOR COMMUNITY SELF-HELP FUNDS

Sec. 26.7. (a) Of the funds appropriated in this act to the Department of Commerce, the sum of three million dollars (\$3,000,000) for the 1996-97 fiscal year shall be allocated to the Center for Community Self-Help to further a statewide program of lending for home ownership throughout North Carolina. These funds will be leveraged on a ten-to-one basis, generating at least ten dollars (\$10.00) of nontraditional home loans for every one dollar (\$1.00) of State funds. Payments of principal shall be available for further loans or loan guarantees.

(b) The Center for Community Self-Help shall submit, within 180 days after the close of its fiscal year, audited financial statements to the State Auditor. All records pertaining to the use of State funds shall be made available to the State Auditor upon request. The Center for Community Self-Help shall make quarterly reports on the use of State funds to the State Auditor, in form and format prescribed by the State Auditor or his designee. The Center for Community Self-Help shall make a written report by May 1 of each year for the next three years to the General Assembly on the use of the funds allocated under this section.

(c) The Center for Community Self-Help shall report to the Joint Legislative Commission on Governmental Operations, the House Appropriations Subcommittee on Natural and Economic Resources, the Senate Appropriations Committee on Natural and Economic Resources, and the Department of Commerce on a quarterly basis for the next three years.

(d) The Office of the State Auditor may conduct an annual end-of-year audit of the revolving fund for economic development lending created by this appropriation for each year of the life of the revolving fund.

(e) If the Center for Community Self-Help dissolves, the corporation shall transfer the remaining assets of the revolving fund to the State and shall refrain from disposing of the revolving fund assets without approval of the State Treasurer.

(f) The Department of Commerce shall disburse this appropriation

within 15 working days of the receipt of a request for the funds from the Center for Community Self-Help. The request shall include a commitment of the leveraged funds by the Center for Community Self-Help or its affiliates.

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

RURAL TOURISM DEVELOPMENT FUNDS

Sec. 26.8. (a) Of the funds appropriated in this act to the Department of Commerce for the 1996-97 fiscal year, the sum of one hundred thousand dollars (\$100,000) shall be used for the Rural Tourism Development Grant Program. The Department shall establish and implement this Program to provide grants to local governments and nonprofit organizations to encourage the development of new tourism projects and activities in rural areas of the State. The Department shall develop procedures for the administration and distribution of funds allocated to the Rural Tourism Development Program under the following guidelines:

- (1) Eligible organizations shall make application under procedures established by the Department;
- (2) Eligible organizations shall be nonprofit tourism-related organizations located in the State's rural regions;
- (3) Priority shall be given to eligible organizations that have significant involvement of travel and tourism-related businesses;
- (4) Priority shall be given to eligible organizations serving economically distressed rural counties;
- (5) Priority shall be given to eligible organizations that match funds; and
- (6) Funds may not be used for renting or purchasing land or buildings, or for financing debt.

No recipient or new tourism project shall receive a total of more than fifty thousand dollars (\$50,000) of these grant funds for the 1996-97 fiscal year.

(b) Of the funds appropriated in this act from the General Fund to the Department of Commerce for the 1996-97 fiscal year, the sum of ten thousand dollars (\$10,000) shall be used to fund the 1996 Babe Ruth Regional All-Star Tournament.

Requested by: Representatives Mitchell, Weatherly, Senators Martin of Pitt, Jordan, Kerr

FUNDS FROM WORKER TRAINING TRUST FUND

Sec. 26.9. Notwithstanding G.S. 96-5(f), there is appropriated from the Worker Training Trust Fund to the following agencies the following sums for the 1996-97 fiscal year for the following purposes:

- (1) \$218,500 to the Department of Commerce to be used for a computer system upgrade in the Division of Employment and Training in order to meet federal reporting requirements under the Job Training Partnership Act;
- (2) \$210,000 to the Department of Labor for a computer upgrade in the apprenticeship tracking system in order to meet federal reporting requirements under the Federal Apprenticeship Program;
- (3) \$90,000 to the Department of Labor to establish nationally certified dietary managers pilot projects. These projects will offer training programs to meet new federal regulations requiring a certified dietary manager on-site at every residential care facility in the State. Funds allocated under this subdivision may also be used to support other customized job training programs authorized by the Department; and
- (4) \$100,000 to the Department of Community Colleges for a training program in entrepreneurial skills to be operated by North Carolina REAL Enterprises. Funds appropriated under this subdivision are in addition to those appropriated for the same purpose under Section 25.9(d)(6) of Chapter 507 of the 1995 Session Laws.

Requested by: Senators Perdue, Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

EXTEND STATE PORTS STUDY COMMISSION

Sec. 26.10. (a) Section 16.1(e) of Chapter 542 of the 1995 Session Laws reads as rewritten:

"(e) The Commission shall report the results of its study and its recommendations to the ~~1995 General Assembly by May 1, 1996.~~ General Assembly. The Commission may make an interim report to the 1996 Regular Session of the 1995 General Assembly and shall make a final report upon the convening of the 1997 General Assembly. The Commission shall terminate upon filing of its final report."

(b) This section becomes effective April 30, 1996.

Requested by: Senators Plyler, Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

INDUSTRIAL PARK/AUTHORITY

Sec. 26.11. Section 7 of Chapter 419 of the 1971 Session Laws, as rewritten by Section 2 of Chapter 342 of the 1995 Session Laws and Section 7 of Chapter 511 of the 1995 Session Laws, reads as rewritten:

"Sec. 7. Private property needed by said Airport Authority for any airport, industrial park, landing field or facilities of same may be acquired by gift or

devise, or may be acquired by private purchase or by the exercise of the power of eminent domain, pursuant to the provisions of Chapter 40A of the General Statutes of North Carolina, as amended. When the Airport Authority files a complaint to condemn property for a purpose authorized by this act, title to the property and the right to immediate possession of the property vests in the Airport Authority when the complaint is filed and the Airport Authority deposits the value of the property in accordance with ~~G.S. 40A-41~~, unless the owner of the property initiates an action for injunctive relief: G.S. 40A-41."

PART 27. DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

Requested by: Representatives Mitchell, Weatherly, Nichols, Senators Martin of Pitt, Jordan, Kerr

AGRICULTURE COST SHARE FUNDS FOR ANIMAL OPERATIONS LOCATED IN A RIVER BASIN OTHER THAN THE NEUSE RIVER BASIN

Sec. 27. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, Division of Soil and Water Conservation, for the Agriculture Cost Share Program for Nonpoint Source Pollution Control, the sum of five million seven hundred fifty thousand dollars (\$5,750,000) for the 1996-97 fiscal year shall be used to assist existing animal operations in obtaining approved animal waste management plans for those animal operations located, in whole or in part, in a county in one of the State's 17 river basins other than the Neuse River Basin and shall be used in accordance with G.S. 143-215.74(b), as amended by this act. When implementing this section, the Department shall cooperate with the Cooperative Extension Service, the Natural Resource Conservation Service of the United States Department of Agriculture, and the local Soil and Water Conservation Districts. Any of these funds remaining at the end of the 1996-97 fiscal year shall not revert, but shall remain available for use pursuant to this section.

Requested by: Representatives Mitchell, Weatherly, Nichols, Senators Martin of Pitt, Jordan, Kerr

AGRICULTURE COST SHARE FUNDS FOR ANIMAL OPERATIONS LOCATED IN THE NEUSE RIVER BASIN

Sec. 27.1. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, Division of Soil and Water Conservation, for the Agriculture Cost Share Program for Nonpoint Source Pollution Control, the sum of one million seven hundred fifty thousand dollars (\$1,750,000) for the 1996-97 fiscal year shall be used to assist existing animal operations in obtaining approved animal waste management plans and farm

operations in installing best management practices for those agriculture operations located, in whole or in part, in a county in the Neuse River Basin and shall be used in accordance with G.S. 143-215.74(b), as amended by this act. When implementing this section, the Department shall cooperate with the Cooperative Extension Service, the Natural Resource Conservation Service of the United States Department of Agriculture, and the local Soil and Water Conservation Districts. Any of these funds remaining at the end of the 1996-97 fiscal year shall not revert, but shall remain available for use pursuant to this section.

Requested by: Representatives Mitchell, Nichols, Weatherly, Senators Martin of Pitt, Jordan, Kerr

STATEWIDE TECHNICAL ASSISTANCE FOR ANIMAL WASTE MANAGEMENT PLANS

Sec. 27.2. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, Division of Soil and Water Conservation, the sum of one million one hundred sixty-seven thousand five hundred dollars (\$1,167,500) for the 1996-97 fiscal year shall be used to provide technical assistance to operators in the process of obtaining approved animal waste management plans for animal operations. When implementing this section, the Department shall cooperate with the Cooperative Extension Service, the Natural Resource Conservation Service of the United States Department of Agriculture, and the local Soil and Water Conservation Districts. Any of these funds remaining at the end of the 1996-97 fiscal year shall not revert, but shall remain available for use pursuant to this section.

Requested by: Representatives Mitchell, Weatherly, Nichols, Senators Martin of Pitt, Jordan, Kerr

ODOR CONTROL TECHNOLOGY STUDY

Sec. 27.3. Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of six hundred thousand dollars (\$600,000) for the 1996-97 fiscal year shall be transferred to the Board of Governors of The University of North Carolina for the North Carolina Agricultural Research Service at North Carolina State University to conduct research into economically feasible odor control technologies and to provide detailed economic analysis of odor management alternatives; provided these funds are matched with an equal sum from private sources. No later than January 1, 1997, the Board of Governors shall report to the Environmental Review Commission and the Fiscal Research Division on progress under the research, including any findings and recommendations at that time.

Requested by: Senators Martin of Pitt, Plexico, Jordan, Kerr, Representatives

Holmes, Creech, Esposito, Mitchell, Weatherly, Nichols

WETLANDS RESTORATION PROGRAM/FUNDS

Sec. 27.4. (a) Article 21 of Chapter 143 of the General Statutes is amended by adding the following new sections to read:

"§ 143-214.8. Wetlands Restoration Program: established.

The Wetlands Restoration Program is established within the Department of Environment, Health, and Natural Resources. The Wetlands Restoration Program shall be developed by the Department as a nonregulatory statewide wetlands restoration program for the acquisition, maintenance, restoration, enhancement, and creation of wetland and riparian resources that contribute to the protection and improvement of water quality, flood prevention, fisheries, wildlife habitat, and recreational opportunities. The Wetlands Restoration Program shall consist of the following components:

- (1) Restoration and perpetual maintenance of wetlands.
- (2) Development of restoration plans.
- (3) Landowner contact and land acquisition.
- (4) Evaluation of site plans and engineering studies.
- (5) Oversight of construction and monitoring of restoration sites.
- (6) Land ownership and management.
- (7) Mapping, site identification, and assessment of wetlands functions.
- (8) Oversight of private wetland mitigation banks to facilitate the components of the Wetlands Restoration Program.

"§ 143-214.9. Wetlands Restoration Program: purposes.

The purposes of the program are as follows:

- (1) To restore wetlands functions and values across the State to replace critical functions lost through historic wetlands conversion and through current and future permitted impacts. It is not the policy of the State to destroy upland habitats unless it would further the purposes of the Wetlands Restoration Program.
- (2) To provide a consistent and simplified approach to address mitigation requirements associated with permits or authorizations issued by the United States Army Corps of Engineers under 33 U.S.C. § 1344.
- (3) To streamline the wetlands permitting process, minimize delays in permit decisions, and decrease the burden of permit applicants of planning and performing compensatory mitigation for wetlands losses.
- (4) To increase the ecological effectiveness of compensatory mitigation.
- (5) To achieve a net increase in wetland acres, functions, and values in each major river basin.

- (6) To foster a comprehensive approach to environmental protection.

"§ 143-214.10. Wetlands Restoration Program: development and implementation of basinwide restoration plans.

Develop Basinwide Restoration Plans. -- The Department shall develop basinwide plans for wetlands and riparian area restoration with the goal of protecting and enhancing water quality, flood prevention, fisheries, wildlife habitat, and recreational opportunities within each of the 17 major river basins in the State. Beginning July 1, 1997, the Department shall develop and begin implementing a basinwide restoration plan for each of the 17 river basins in the State in accordance with the basinwide schedule currently established by the Division of Water Quality.

"§ 143-214.11. Wetlands Restoration Program: compensatory mitigation.

(a) Definition. -- For purposes of this section, the term 'compensatory mitigation' means the restoration, creation, enhancement, or preservation of wetlands or other areas required as a condition of a section 404 permit issued by the United States Army Corps of Engineers.

(b) Department of Environment, Health, and Natural Resources to Coordinate Compensatory Mitigation. -- All compensatory mitigation required by permits or authorizations issued by the United States Army Corps of Engineers under 33 U.S.C. § 1344 shall be coordinated by the Department consistent with the basinwide plans for wetlands restoration and rules developed by the Environmental Management Commission. All compensatory wetlands mitigation, whether performed by the Department or by permit applicants, shall be consistent with the basinwide restoration plans.

(c) Mitigation Emphasis on Replacing Ecological Function Within Same River Basin. -- The emphasis of mitigation is on replacing functions within the same river basin unless it is demonstrated that restoration of other areas would be more beneficial to the overall purposes of the Wetlands Restoration Program.

(d) Compensatory Mitigation Options Available to Applicant. -- An applicant may satisfy compensatory wetlands mitigation requirements by the following actions, if those actions are consistent with the basinwide restoration plans and also meet or exceed the requirements of the United State Army Corps of Engineers:

- (1) Payment of a fee established by the Department into the Wetlands Restoration Fund established in G.S.143-214.12.
- (2) Donation of land to the Wetlands Restoration Program or to other public or private nonprofit conservation organizations as approved by the Department.
- (3) Participation in a private wetlands mitigation bank.
- (4) Preparing and implementing a wetlands restoration plan.

(e) Payment Schedule. -- A standardized schedule of per-acre payment amounts shall be established by the Environmental Management Commission. The monetary payment shall be based on the ecological functions and values of wetlands permitted to be lost and on the cost of restoring or creating wetlands capable of performing the same or similar functions, including directly related costs of wetlands restoration planning, long-term monitoring, and maintenance of restored areas.

(f) Mitigation Banks. -- State agencies and private mitigation banking companies shall demonstrate that adequate, dedicated financial surety exists to provide for the perpetual land management and hydrological maintenance of lands acquired by the State as mitigation banks, or proposed to the State as privately operated and permitted mitigation banks.

"§ 143-214.12. Wetlands Restoration Program: Wetlands Restoration Fund.

(a) Wetlands Restoration Fund. -- The Wetlands Restoration Fund is established as a nonreverting fund within the Department. The Fund shall be treated as a special trust fund and shall be credited with interest by the State Treasurer pursuant to G.S. 147-69.2 and G.S. 147-69.3. The Wetlands Restoration Fund shall provide a repository for monetary contributions and donations or dedications of interests in real property to promote projects for the restoration, enhancement, preservation, or creation of wetlands and riparian areas and for payments made in lieu of compensatory mitigation as described in subsection (b) of this section. No funds shall be expended from this Fund for any purpose other than those directly contributing to the acquisition, perpetual maintenance, enhancement, restoration, or creation of wetlands and riparian areas in accordance with the basinwide plan as described in subsection (a) of this section.

(b) Authorized Methods of Payment. -- A person subject to a permit or authorization issued by the United States Army Corps of Engineers under 33 U.S.C. § 1344, may contribute to the Wetlands Restoration Program, to comply with conditions to, or terms of, the permit or authorization, if participation in the Wetlands Restoration Program will meet the mitigation requirements of the United States Army Corps of Engineers. The Department shall, at the discretion of the applicant, accept payment into the Wetlands Restoration Fund in lieu of other compensatory mitigation requirements of any authorizations issued by the United States Army Corps of Engineers under 33 U.S.C. § 1344 if the contributions will meet the mitigation requirements of the United States Army Corps of Engineers. Payment may be made in the form of monetary contributions according to a fee schedule established by the Environmental Management Commission or in the form of donations of real property provided that the property is approved by the Department as a suitable site consistent with the basinwide wetlands restoration plan.

(c) Accounting of Payments. -- The Department shall provide an itemized

statement that accounts for each payment into the Fund. The statement shall include the expenses and activities financed by the payment.

"§ 143-214.13. Wetlands Restoration Program: reporting requirement.

The Department of Environment, Health, and Natural Resources shall report each year by November 1 to the Environmental Review Commission regarding its progress in implementing the Wetlands Restoration Program and its use of the funds in the Wetlands Restoration Fund. The report shall document statewide wetlands losses and gains and compensatory mitigation performed under G.S. 143-214.8 through G.S. 143-214.12. The report shall also provide an accounting of receipts and disbursements of the Wetlands Restoration Fund, an analysis of the per-acre cost of wetlands restoration, and a cost comparison on a per-acre basis between the State's Wetland Restoration Program and private mitigation banks. The Department shall also send a copy of its report to the Fiscal Research Division of the General Assembly."

(b) G.S. 143B-282(a)(1) is amended by adding the following:

"u. To administer the State's authority under 33 USC § 1341 of the federal Clean Water Act."

(c) The Department of Environment, Health, and Natural Resources is directed to negotiate and enter into a Memorandum of Agreement with the United States Army Corps of Engineers regarding the restoration, creation, enhancement, and preservation of wetlands and the compensatory mitigation required of permit applicants under 33 U.S.C. § 1344. The purpose of the Memorandum of Agreement is to ensure that the State's implementation of the Wetlands Restoration Program with regard to mitigation of wetlands satisfies the United States Army Corps of Engineers and that the standards developed by the State to which the State's and other mitigation banks must adhere is acceptable to the Corps for purposes of section 404 mitigation requirements.

(d) Of the funds appropriated to the Department of Environment, Health, and Natural Resources, the sum of five hundred thousand dollars (\$500,000) in recurring funds for the 1996-97 fiscal year shall be allocated to support eight staff positions and for administrative and other expenses to implement the Wetlands Restoration Program.

(e) The Environmental Review Commission shall study private mitigation banks. In its study the Environmental Review Commission shall compare private mitigation banks with the Wetlands Restoration Program and may also consider any additional issues relevant to those topics. The Environmental Review Commission shall report to the 1997 General Assembly regarding its findings and recommendations.

Requested by: Senators Basnight, Perdue, Odom, Plyler, Martin of Pitt, Jordan, Kerr, Representatives Holmes, Creech, Esposito, Mitchell, Weatherly, Nichols

CLEAN WATER MANAGEMENT TRUST FUND

Sec. 27.6. (a) Chapter 113 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 13A.

"Clean Water Management Trust Fund.

"§ 113-145.1. Purpose.

The General Assembly recognizes that a critical need exists in this State to clean up pollution in the State's surface waters and to protect and conserve those waters that are not yet polluted. The task of cleaning up polluted waters and protecting the State's water resources is multifaceted and requires different approaches that take into account the problems, the type of pollution, the geographical area, and the recognition that the hydrological and ecological values of each resource sought to be upgraded, conserved, and protected are unique.

It is the intent of the General Assembly that moneys from the Fund created under this Article shall be used to help finance projects that specifically address water pollution problems and focus on upgrading surface waters, eliminating pollution, and protecting and conserving unpolluted surface waters, including urban drinking water supplies. It is the further intent of the General Assembly that moneys from the Fund also be used to build a network of riparian buffers and greenways for environmental, educational, and recreational benefits. While the purpose of this Article is to focus on the cleanup and prevention of pollution of the State's surface waters and the establishment of a network of riparian buffers and greenways, the General Assembly believes that the results of these efforts will also be beneficial to wildlife and marine fisheries habitats.

"§ 113-145.2. Definitions.

As used in this Article:

- (1) Council. -- The advisory council for the Clean Water Management Trust Fund.
- (2) Economically Distressed Units of Local Government. -- Counties designated as economically distressed by the Secretary of Commerce under G.S. 143B-437A and any cities located in those counties.
- (3) Fund. -- The Clean Water Management Trust Fund created pursuant to this Article.
- (4) Land. -- Real property and any interest in, easement in, or restriction on real property.
- (5) Trustees. -- The trustees of the Clean Water Management Trust Fund.

"§ 113-145.3. Clean Water Management Trust Fund: established.

(a) Fund Established. -- There is established a Clean Water Management Trust Fund in the State Treasurer's Office that shall be used to finance projects to clean up or prevent surface water pollution in accordance with this Article.

(b) Fund Earnings, Assets, and Balances. -- The State Treasurer shall hold the Fund separate and apart from all other moneys, funds, and accounts. Investment earnings credited to the assets of the Fund shall become part of the Fund. Any balance remaining in the Fund at the end of any fiscal year shall be carried forward in the Fund for the next succeeding fiscal year. Payments from the Fund shall be made on the warrant of the Chair of the Board of Trustees.

(c) Fund Purposes. -- Moneys from the Fund may be used for any of the following purposes:

- (1) To acquire land for riparian buffers for the purposes of providing environmental protection for surface waters and urban drinking water supplies and establishing a network of riparian greenways for environmental, educational, and recreational uses.
- (2) To acquire conservation easements or other interests in real property for the purpose of protecting and conserving surface waters and urban drinking water supplies.
- (3) To coordinate with other public programs involved with lands adjoining water bodies to gain the most public benefit while protecting and improving water quality.
- (4) To restore previously degraded lands to reestablish their ability to protect water quality.
- (5) To repair failing waste treatment systems if: (i) an application has first been submitted to receive a loan or grant from the Clean Water Revolving Loan and Grant Fund and the application was denied during the latest review cycle; (ii) the repair is a reasonable remedy for resolving an existing waste treatment problem; and (iii) the repair is not for the purpose of expanding the system to accommodate future anticipated growth of a community. Priority shall be given to economically distressed units of local government.
- (6) To repair and eliminate failing septic tank systems, to eliminate illegal drainage connections, and to expand waste treatment systems if the system is being expanded as a remedy to eliminate failing septic tank systems or illegal drainage connections. Priority shall be given to economically distressed units of local government.
- (7) To improve stormwater controls and management practices.
- (8) To facilitate planning that targets reductions in surface water pollution.
- (9) To fund operating expenses of the Board of Trustees and its staff.

(d) Limit on Operating and Administrative Expenses. -- No more than two

percent (2%) of the annual balance of the Fund on July 1 or a total sum of eight hundred fifty thousand dollars (\$850,000), whichever is less, may be used each fiscal year for administrative and operating expenses of the Board of Trustees and its staff.

"§ 113-145.4. Clean Water Management Trust Fund: eligibility for grants; matching funds or property requirement.

(a) Eligible Grant Applicants. -- Any of the following are eligible to apply for a grant from the Fund for the purpose of protecting and enhancing water quality:

- (1) A State agency.
- (2) A local government or other political subdivision of the State or a combination of such entities.
- (3) A nonprofit corporation whose primary purpose is the conservation, preservation, and restoration of our State's environmental and natural resources.

(b) Grant Matching Requirement. -- The Board of Trustees shall establish matching requirements for grants awarded under this Article. The Board of Trustees may require a match of up to twenty percent (20%) of the amount of the grant awarded. This requirement may be satisfied by the donation of land to a public or private nonprofit conservation organization as approved by the Board of Trustees. The Board of Trustees may also waive the requirement to match a grant pursuant to guidelines adopted by the Board of Trustees.

(c) Grants Not Available to Satisfy Compensatory Mitigation Requirements. -- No grant shall be awarded under this article to satisfy compensatory mitigation requirements under 33 USC § 1344 or G.S.143-214.11.

"§ 113-145.5. Clean Water Management Trust Fund: Board of Trustees established; membership qualifications; vacancies; meetings and meeting facilities.

(a) Board of Trustees Established. -- There is established the Clean Water Management Trust Fund Board of Trustees. The Clean Water Management Trust Fund Board of Trustees shall be independent, but for administrative purposes shall be located under the Department of Environment, Health, and Natural Resources.

(b) Membership. -- The Clean Water Management Trust Fund Board of Trustees shall be composed of 18 members. Six members shall be appointed by the Governor, six by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121, and six by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121. The office of Trustee is declared to be an office that may be held concurrently with any other executive or appointive office, under the authority of Article VI, Section 9, of the North Carolina Constitution.

Persons appointed shall be knowledgeable in one of the following areas:

- (1) Acquisition and management of natural areas.
- (2) Conservation and restoration of water quality.
- (3) Wildlife and fisheries habitats and resources.
- (4) Environmental management.

(c) Initial Appointments. -- Each appointing officer shall designate two of the officer's initial appointments to serve two-year terms, two to serve four-year terms, and two to serve six-year terms. Thereafter, all appointments shall be for four years, subject to reappointment. All initial appointments shall be made on or before January 1, 1997. The Governor shall appoint one Trustee to serve as Chair of the Board.

(d) Vacancies. -- If a vacancy occurs, other than by the expiration of term, of a member subject to appointment by the General Assembly upon the recommendation of the Speaker of the House of Representatives or the President Pro Tempore of the Senate, the vacancy shall be filled in accordance with G.S. 120-122. All other vacancies shall be filled by the appointing official in the original manner.

(e) Frequency of Meetings. -- The Trustees shall meet at least twice each year and may hold special meetings at the call of the Chair or a majority of the members.

(f) Per Diem and Expenses. -- The Trustees shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5. Per diem, subsistence, and travel expenses of the Trustees shall be paid from the Fund.

(g) Meeting Facilities. -- The Secretary of the Department of Environment, Health, and Natural Resources shall provide meeting facilities for the Board of Trustees and its staff as requested by the Chair.

"§ 113-145.6. Clean Water Management Trust Fund Board of Trustees: powers and duties.

(a) Allocate Grant Funds. -- The Trustees shall allocate moneys from the Fund as grants. A grant may be awarded only for a project or activity that satisfies the criteria and furthers the purposes of this Article.

(b) Develop Grant Criteria. -- The Trustees shall develop criteria for awarding grants under this Article. The criteria developed shall include consideration of the following:

- (1) The significant enhancement and conservation of water quality in the State.
- (2) The objectives of the basinwide management plans for the State's river basins and watersheds.
- (3) The promotion of regional integrated ecological networks insofar as they affect water quality.
- (4) The specific areas targeted as being environmentally sensitive.
- (5) The geographic distribution of funds as appropriate.
- (6) The preservation of water resources with significant

recreational or economic value and uses.

- (7) The development of a network of riparian buffer- greenways bordering and connecting the State's waterways that will serve environmental, educational, and recreational uses.

(c) Develop Additional Guidelines. -- The Trustees may develop guidelines in addition to the grant criteria consistent with and as necessary to implement this Article.

(d) Acquisition of Land. -- The Trustees may acquire land by purchase, negotiation, gift, or devise. Any acquisition of land by the Trustees must be reviewed and approved by the Council of State and the deed for the land subject to approval of the Attorney General before the acquisition can become effective. In determining whether to acquire land as permitted by this Article, the Trustees shall consider whether the acquisition furthers the purposes of this Article and may also consider recommendations from the Council. Nothing in this section shall allow the Trustees to acquire land under the right of eminent domain.

(e) Exchange of Land. -- The Trustees may exchange any land they acquire in carrying out the powers conferred on the Trustees by this Article.

(f) Land Management. -- The Trustees may designate managers or managing agencies of the lands acquired under this Article.

(g) Tax Credit Certification. -- The Trustees shall develop guidelines to determine whether land donated for a tax credit under G.S. 105-130.34 or G.S. 105-151.12 are suitable for one of the purposes under this Article and may be certified for a tax credit.

(h) Rule-making Authority.-- The Trustees may adopt rules to implement this Article. Chapter 150B of the General Statutes applies to the adoption of rules by the Trustees.

"§ 113-145.7. Clean Water Management Trust Fund: Executive Director and staff.

The Clean Water Management Trust Fund Board of Trustees, as soon as practicable after its organization, shall select and appoint a competent person in accordance with this section as Executive Director of the Clean Water Management Trust Fund Board of Trustees. The Executive Director shall be charged with the supervision of all activities under the jurisdiction of the Trustees and shall serve as the chief administrative officer of the Trustees. Subject to the approval of the Trustees and the Director of the Budget, the Executive Director may employ such clerical and other assistants as may be deemed necessary.

The person selected as Executive Director shall have had training and experience in conservation, protection, and management of surface water resources. The salary of the Executive Director shall be fixed by the Trustees, and the Executive Director shall be allowed travel and subsistence expenses in accordance with G.S. 138-6. The Executive Director's salary and expenses

shall be paid from the Fund. The term of office of the Executive Director shall be at the pleasure of the Trustees.

"§ 113-145.8. Clean Water Management Trust Fund: Advisory Council.

There is established the Clean Water Management Trust Fund Advisory Council. The Council shall advise the Trustees with regard to allocations made from the Fund, and other issues as requested by the Trustees. The Council shall be composed of the following or its designees:

- (1) Commissioner of Agriculture.
- (2) Chair of the Wildlife Resources Commission.
- (3) Secretary of the Department of Environment, Health, and Natural Resources.
- (4) Secretary of the Department of Commerce."

(b) Article 1 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-15.3B. The Clean Water Management Trust Fund.

(a) The Clean Water Management Trust Fund is established in G.S. 113-145.3. The State Controller shall reserve to the Clean Water Management Trust Fund six and one-half percent (6.5%) of any unreserved credit balance remaining in the General Fund at the end of each fiscal year. As used in this section, the term 'unreserved credit balance' means the credit balance amount, as determined on a cash basis, before funds are reserved by the State Controller to the Savings Reserve Account, the Repairs and Renovations Reserve Account, or the Clean Water Management Trust Fund pursuant to this section, G.S. 143-15.3, and G.S. 143-15.3A.

(b) The funds in the Clean Water Management Trust Fund shall be used only in accordance with Article 13A of Chapter 113 of the General Statutes."

(c) The Chair of the Board of Trustees of the Clean Water Management Trust Fund shall report to the Environmental Review Commission beginning November 1, 1996, and annually thereafter on implementation of this section. A written copy of the report shall also be sent to the Fiscal Research Division of the General Assembly beginning November 1, 1996, and annually thereafter on implementation of this section.

(d) For the 1996-97 fiscal year only, of the funds reserved under G.S. 143-15.3B to the Clean Water Management Trust Fund, the State Controller shall transfer the sum of nine million two hundred thousand dollars (\$9,200,000) to the Wetlands Restoration Fund to be used to implement the Wetlands Restoration Program. The 1997 General Assembly shall review and consider further funding needs of the Wetlands Restoration Program and the Wetlands Restoration Fund for the 1997-98 fiscal year and subsequent years.

(e) This section becomes effective June 30, 1996.

Requested by: Representatives Mitchell, Weathely, Nichols, Senators Martin of Pitt, Jordan, Kerr

STUDY GROUNDWATER IMPACTS OF LAGOONS

Sec. 27.7. Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of three hundred seventy-five thousand dollars (\$375,000) for the 1996-97 fiscal year shall be transferred to the Board of Governors of The University of North Carolina to be used by the North Carolina Agricultural Research Service at North Carolina State University to design and implement a scientifically based study for the purpose of determining the extent to which animal waste lagoons pose a threat, if any, to the groundwater of the State. Lagoons that are representative of soil types and hydrologic conditions in North Carolina shall be selected for this study. No later than January 1, 1997, the Board of Governors of The University of North Carolina shall report to the Environmental Review Commission and the Fiscal Research Division on progress under the research, including any findings and recommendations at that time.

Requested by: Representatives Mitchell, Weatherly, Nichols, Senators Martin of Pitt, Jordan, Kerr

LOWER NEUSE RIVER BASIN ASSOCIATION FUNDS

Sec. 27.8. (a) Of the funds appropriated by this act to the Lower Neuse River Basin Association for the 1996-97 fiscal year, the sum of two million dollars (\$2,000,000) shall be allocated as grants to local government units in the Neuse River Basin to assist those local government units in fulfilling their obligations under the Neuse River Nutrient Sensitive Waters Management Strategy plan adopted by the Environmental Management Commission. The funds are contingent upon the adoption of the plan by the Environmental Management Commission. If the Environmental Management Commission fails to adopt the plan by June 30, 1997, then the funds shall revert to the General Fund.

(b) The Lower Neuse River Basin Association shall report by October 15, 1996, and quarterly thereafter to the Environmental Review Commission regarding the grants awarded and the effectiveness of the projects funded by those grants in reducing the pollution in the Neuse River Basin. The Lower Neuse River Basin Association shall also send a written copy of its report to the Fiscal Research Division of the General Assembly.

Requested by: Representatives Mitchell, Weatherly, Nichols, Senators Martin of Pitt, Jordan, Kerr

STUDY OF ATMOSPHERIC DEPOSITION OF NITROGEN IN NEUSE ESTUARY

Sec. 27.9. (a) Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of four hundred fifty thousand dollars (\$450,000) for the 1996-97 fiscal year shall be

transferred to the Board of Governors of The University of North Carolina for the North Carolina Agricultural Research Service at North Carolina State University to be used to contract with a research institution to research and perform computer modelling to identify the amount of atmospheric nitrogen reaching the Neuse estuary, to enable the development of strategies to reduce the most significant sources of nitrogen, and to improve water quality. If the expertise required for this research is available at a research institution in the State, the Board of Governors shall contract with a research institution in the State. No later than January 1, 1997, the Board of Governors shall report to the Environmental Review Commission and the Fiscal Research Division on progress under the research, including any findings and recommendations at that time.

(b) The Board of Governors of The University of North Carolina and the research institution with which it enters a contract shall collaborate and work cooperatively with the Department of Environment, Health, and Natural Resources in implementing subsection (a) of this section.

(c) Funds not expended or encumbered under subsection (a) of this section shall revert at the end of the 1997-98 fiscal year.

Requested by: Representatives Mitchell, Weatherly, Senator Martin of Pitt
TRANSFER THE GEODETIC SURVEY SECTION TO THE OFFICE OF STATE PLANNING

Sec. 27.9A. The 22 positions, support, and equipment in the Geodetic Survey Section of the Division of Land Resources, Department of Environment, Health, and Natural Resources, shall be moved to the Office of State Planning in the Office of the Governor.

Requested by: Representatives Mitchell, Weatherly, Senator Martin of Pitt
HAZARDOUS WASTE REPORTS

Sec. 27.10. Beginning in 1997, the Department of Environment, Health, and Natural Resources shall report on the generation, storage, treatment, and disposal of hazardous waste in North Carolina no more often than it is required to report under federal law or federal regulation.

Requested by: Representatives Mitchell, Weatherly, Senator Martin of Pitt
DRINKING WATER WAIVER PROGRAM

Sec. 27.11. The Department of Environment, Health, and Natural Resources, Division of Environmental Health, shall establish a drinking water waiver program that will enable the Division to seek and qualify for additional waivers from the drinking water regulations of the United States Environmental Protection Agency. The program shall include, but not be limited to, the collection and study of data on the State's drinking water testing program to determine which contaminants do not present a significant health

risk and which water systems are not susceptible to particular contaminants. The Division shall report its progress in establishing and implementing the drinking water waiver program not later than December 15, 1996, to the Fiscal Research Division, the Environmental Review Commission, and the Legislative Research Commission Study Committee on Water Issues.

Requested by: Representatives Mitchell, Weatherly, Tolson, Nichols, H. Hunter, Senators Martin of Pitt, Kerr, Jordan

STUDY ENVIRONMENTAL IMPACTS OF ABANDONED LAGOONS/ANIMAL FACILITIES

Sec. 27.12. Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of twenty-five thousand dollars (\$25,000) for the 1996-97 fiscal year shall be placed in a reserve in the Department for the General Assembly for a legislative study commission to study the environmental impacts of animal waste lagoons and animal facilities that have been closed or abandoned or are inactive in order to determine the extent and scope of the problems, if any, associated with these structures, to identify potential solutions for any existing problems, to identify scientifically and environmentally effective methods of closure for these structures in the future, and to determine the advisability of providing incentives for the proper management of abandoned animal waste lagoons and abandoned animal facilities. No later than January 1, 1997, this study commission shall report to the 1997 General Assembly, the Environmental Review Commission, and the Fiscal Research Division on its findings, recommendations, and any legislative proposals.

Requested by: Representatives Mitchell, Weatherly, Nichols, Senators Martin of Pitt, Jordan, Kerr

RESERVE FOR PERMITTING AND INSPECTING ANIMAL WASTE MANAGEMENT SYSTEMS

Sec. 27.13. (a) Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, the sum of one million five hundred fifty thousand seven hundred sixty-six dollars (\$1,550,766) shall be placed in a reserve to be used to establish and support positions to conduct permitting, inspection, and enforcement activities for animal waste management systems. These funds shall be used as follows:

- (1) \$704,473 in recurring funds shall be used to establish and support 14 positions in the Division of Soil and Water Conservation; and
- (2) \$846,293 in recurring funds shall be used to establish and support 18 positions in the Division of Water Quality.

When implementing this section, the Department shall cooperate with the Cooperative Extension Service, the Natural Resources Conservation Service

of the United States Department of Agriculture, and the local Soil and Water Conservation Districts.

(b) No later than October 15, 1996, and quarterly thereafter, the Department of Environment, Health, and Natural Resources shall submit status reports to the Environmental Review Commission and the Fiscal Research Division. Each report shall include, but not be limited to:

- (1) The number of permits for animal waste management systems, itemized by type of animal subject to such permits, issued since the last report and a total for that calendar year.
- (2) The number of operations reviews of animal waste management systems that the Division of Soil and Water Conservation has conducted since the last report and a total for that calendar year.
- (3) The number of reinspections associated with operations reviews conducted by the Division of Soil and Water Conservation since the last report and a total for that calendar year.
- (4) The number of compliance inspections of animal waste management systems that the Division of Water Quality has conducted since the last report and a total for that calendar year.
- (5) The number of follow-up inspections associated with compliance inspections conducted by the Division of Water Quality since the last report and a total for that calendar year.
- (6) The average length of time for each category of reviews and inspections under subdivisions (2) through (4) of this subsection.
- (7) The number of violations found during each category of review and inspection under subdivisions (2) through (4) of this subsection, the status of enforcement actions taken and pending, and the penalties imposed, collected, and in the process of being negotiated for each such violation.

(c) The information to be included in the reports pursuant to subsection (b) of this section shall be itemized by each regional office of the Department, with totals for the State indicated.

(d) Fees collected pursuant to G.S. 143-215.10G shall not be used by the department to cover the cost of this program, but shall be credited to the General Fund as nontax revenue.

Requested by: Representatives Mitchell, Weatherly, H. Hunter, Senator Martin of Pitt

HEALTHY START FOUNDATION FUNDS

Sec. 27.14. Section 26.4 of Chapter 507 of the 1995 Session Laws

reads as rewritten:

"Sec. 26.4. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, the sum of ~~two hundred six hundred fifty thousand dollars (\$200,000)~~ (\$650,000) for the ~~1995-96~~ 1996-97 fiscal year shall be allocated to the North Carolina Healthy Start ~~Foundation to support the programs and activities of the Governor's Commission on Reduction of Infant Mortality.~~ Foundation. Funds allocated pursuant to this section shall be expended first to support statewide planning, promotion, and coordination for the First Step Campaign. Funds remaining after allocation for First Step shall be used to support other programs and ~~activities.~~ activities aimed at reducing infant mortality. The Healthy Start Foundation shall report on all of its programs to the Joint Legislative Commission on Governmental Operations on or before March 1, ~~1996.~~ 1997. The report shall include information on the Foundation's activities and accomplishments during the past fiscal year, a list of the groups, organizations, communities, and other recipients of assistance from the Foundation in the last 12 months, itemized expenditures during the past fiscal year with sources of funding, planned activities, and accomplishments for at least the next 12 months, and itemized anticipated expenditures with sources of funding for the next 12 months."

Requested by: Representatives Mitchell, Weatherly, Culpepper, Senators Martin of Pitt, Jordan, Kerr

BEAVER DAMAGE CONTROL FUNDS

Sec. 27.15. (a) Subsection (b) of Section 69 of Chapter 1044 of the 1991 Session Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws, Section 27.3 of Chapter 769 of the 1993 Session Laws, and Section 26.6 of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(b) The Beaver Damage Control Advisory Board shall develop a ~~pilot~~ program to control beaver damage on private and public lands. Anson, Bladen, Brunswick, Carteret, Chatham, Chowan, Craven, Columbus, Cumberland, Duplin, Edgecombe, Franklin, Granville, Greene, Halifax, Harnett, Hertford, Johnston, Jones, Lee, Lenoir, Lincoln, Martin, Nash, Onslow, Pamlico, Pender, Pitt, Robeson, Sampson, Scotland, Vance, Warren, Washington, Wayne, and Wilson Counties shall participate in the ~~pilot~~ program. The Beaver Damage Control Advisory Board shall act in an advisory capacity to the Wildlife Resources Commission in the implementation of the program. In developing the program, the Board shall:

- (1) Orient the program primarily toward public health and safety and toward landowner assistance, providing some relief to landowners through beaver control and management rather than eradication;
- (2) Develop a priority system for responding to complaints about beaver damage;

- (3) Develop a system for documenting all activities associated with beaver damage control, so as to facilitate evaluation of the program;
- (4) Provide educational activities as a part of the program, such as printed materials, on-site instructions, and local workshops;
- (5) Provide for the hiring of personnel necessary to implement beaver damage control activities, administer the ~~pilot~~ program, and set salaries of personnel;
- (6) Evaluate the costs and benefits of the program that might be applicable elsewhere in North Carolina.

No later than ~~September 30, 1994 and again upon the conclusion of the pilot program on June 30, 1996, January 15, 1997,~~ the Board shall issue a report to the Wildlife Resources Commission on the program to date, including recommendations on the feasibility of continuing the program in participating counties and the desirability of expanding the program into other counties. The Wildlife Resources Commission shall prepare a plan to implement a statewide program to control beaver damage on private and public lands. No later than ~~January 1, 1995, March 15, 1997,~~ the Wildlife Resources Commission shall present its plan in a report to the House Appropriations Subcommittee on Natural and Economic ~~Resources and Resources,~~ the Senate Appropriations Committee on Natural and Economic ~~Resources, Resources,~~ and the Fiscal Research Division."

(b) Subsection (c) of Section 69 of Chapter 1044 of the 1991 Session Laws reads as rewritten:

"(c) The Wildlife Resources Commission shall implement the ~~pilot~~ program, and may enter a cooperative agreement with the Animal Damage Control Division of the Animal and Plant Health Inspection Service, United States Department of Agriculture, to accomplish the ~~pilot~~ program."

(c) Subsection (h) of Section 69 of Chapter 1044 of the 1991 Session Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws, Section 27.3 of Chapter 769 of the 1993 Session Laws, and Section 26.6 of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(h) Subsections (a) through (d) of this section expire June 30, ~~1996, 1997,~~"

(d) Subsection (d) of Section 26.6 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"(d) Of the funds appropriated from the General Fund to the Wildlife Resources Commission for the 1995-96 fiscal ~~year, year and the 1996-97 fiscal year,~~ there is allocated the sum of three hundred seventy-two thousand six hundred ninety dollars (\$372,690) for the 1995-96 fiscal year and the sum of four hundred fifty thousand dollars (\$450,000) for the 1996-97 fiscal year to provide the State share necessary to continue the beaver damage control ~~pilot~~ program established by Section 69 of Chapter 1044 of the 1991 Session Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws and

Section 27.3 of the 1993 Session Laws, in Anson, Bladen, Brunswick, Carteret, Chatham, Chowan, Craven, Columbus, Cumberland, Duplin, Edgecombe, Franklin, Granville, Greene, Halifax, Harnett, Hertford, Johnston, Jones, Lee, Lenoir, Lincoln, Martin, Nash, Onslow, Pamlico, Pender, Pitt, Robeson, Sampson, Scotland, Vance, Warren, Washington, Wayne, and Wilson Counties, provided the sum of twenty-five thousand dollars (\$25,000) in federal funds is available in each fiscal year to provide the federal share. These funds shall be matched by four thousand dollars (\$4,000) of local funds in each fiscal year from each of the 27 participating counties. Counties participating in this program shall make a commitment of their local matching funds to the Wildlife Resources Commission no later than September 30 of that fiscal year."

Requested by: Representatives Mitchell, Weatherly, Senator Martin of Pitt
1995-96 BEAVER DAMAGE CONTROL FUNDS REVERT

Sec. 27.16. (a) The sum of one hundred fifty thousand dollars (\$150,000) that was appropriated to the Wildlife Resources Commission for the 1995-96 fiscal year to provide the State share for beaver damage control pursuant to Section 27.3 of Chapter 769 of the 1993 Session Laws and that was designated as recurring funds shall revert to the General Fund on June 30, 1996.

(b) This section is effective June 30, 1996.

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

PILOT PRIVATIZATION PROJECT FOR CONSTRUCTION OF FORESTRY BUILDINGS

Sec. 27.18. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, the sum of one hundred fifty thousand dollars (\$150,000) for the 1996-97 fiscal year shall be placed in a reserve within the Department, and the Department shall, as part of a pilot project, enter into a contract with a county to construct a forestry headquarters building in that county. The contract shall provide: that the county may contract with a private for-profit or nonprofit firm for the construction of a building at least 2,300 square feet in size to consist of, at a minimum, a storage unit and an office area and to include a surfaced driveway and parking area and utility services; that the county shall submit the design plans and specifications to the Department of Insurance, the Office of State Construction, and the Secretary of Environment, Health, and Natural Resources for review and approval; that the State shall not lease any State-owned land to the county for the building prior to the Department of Insurance, the Office of State Construction, and the Secretary of Environment, Health, and Natural Resources approving the design plans and specifications; that the Department

of Insurance, the Office of State Construction, and the Secretary of Environment, Health, and Natural Resources shall inspect and review the project during construction and at the completion of construction to ensure that the building is suitable for its intended use and to determine whether the building is suitable for acquisition by the State; that the Department shall not reimburse the county from the reserve until the Department of Insurance, the Office of State Construction, and the Secretary of Environment, Health, and Natural Resources determine that the building is suitable for acquisition by the State; that the State shall lease to the county any land the State owns that is needed for siting the building and its appurtenances, and, prior to the Department reimbursing the county from the reserve, the county shall transfer to the State for no additional consideration such property, the building, and its appurtenances; and that, prior to the Department reimbursing the county from the reserve, the county shall transfer to the State for no additional consideration any land the county owns that is needed for siting the building and its appurtenances, the building, and its appurtenances. It is the intent of the General Assembly that the General Assembly shall not appropriate additional funds for this pilot project and that the county in which the forestry headquarters building is to be located shall be responsible for all costs in excess of one hundred fifty thousand dollars (\$150,000), including those costs related to the county purchasing any new land necessary for siting the building and its appurtenances and those costs related to constructing and equipping this building and its appurtenances. No later than December 15, 1996, and again no later than April 15, 1997, the Department shall report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the progress of this pilot project and shall include in both reports the Department's findings and recommendations on the desirability and feasibility of expanding this project to the construction of forestry buildings in other counties.

Requested by: Representatives Mitchell, Weatherly, Senator Martin of Pitt
FOREST RESOURCES NURSERY PROGRAM FUNDS

Sec. 27.18. The Division of Forest Resources, Department of Environment, Health, and Natural Resources, may retain and use any funds derived from the taking of nursery acreage at Claridge State Forest Nursery near Goldsboro in Wayne County due to the construction of the Highway 70 Bypass. These funds shall remain in a nonreverting fund in the Department to be used to cover the cost associated with relocating nursery fields and seed orchards.

Requested by: Representatives Mitchell, Weatherly, Reynolds, Allred, Sexton, Baker, Senators Martin of Pitt, Jordan, Kerr

MULTI-COUNTY WATER CONSERVATION AND INFRA-

STRUCTURE DISTRICT

Sec. 24.22. (a) G.S. 158-15.1 reads as rewritten:

"§ 158-15.1. Multi-County Water Conservation and Infrastructure District.

(a) There is established the Multi-County Water Conservation and Infrastructure District, which is a public authority for the purpose of the Local Government Budget and Fiscal Control Act.

(b) The member counties of the Multi-County Water Conservation and Infrastructure District are Bertie, Caswell, Forsyth, Granville, Guilford, Halifax, Martin, Northampton, Person, Rockingham, Stokes, Surry, Vance Vance, and Warren, and Washington.

(c) The governing body of the Multi-County Water Conservation and Infrastructure District is the Multi-County Water ~~Commission, which has eight members.~~ Commission. One member of this Commission shall be appointed for a three-year term by the board of commissioners of each member ~~county~~ for a three-year term: county.

(d) All monies received by the State of North Carolina for sale of water under the Roanoke River Basin Compact, if enacted, shall be paid to the Multi-County Water Conservation and Infrastructure District.

(e) The District may accept for any of its purposes and functions any and all donations, grants of money, equipment, supplies, materials and services (conditional or otherwise) from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any political subdivision of this State or any other state, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. The nature, amount and condition, if any, attendant upon any donation or grant accepted pursuant to this subsection together with the identity of the donor or grantor, shall be detailed in the annual audit of the District.

(f) At times specified by the Multi-County Water Commission, net revenues after operating expenses of the District shall be paid only to the member counties Bertie, Granville, Halifax, Martin, Northampton, Person, Vance, and Warren Counties according to the following formula: (i) one-half pro-rata based on population of each member county; and (ii) one-half pro-rata based on land area of each county. The remaining member counties shall receive none of the net revenues received pursuant to subsection (d) of this section.

(g) Member counties may use funds received under this section for public purposes relating to infrastructure development, economic development, and water conservation.

(h) The Commission may adopt such rules as may be needful for operation of its affairs, and shall employ and terminate personnel as if it were a county."

(b) Notwithstanding G.S. 158-15.1 as amended by subsection (a) of this section, of the funds appropriated to the Department of Environment, Health, and Natural Resources in Section 26.12 of Chapter 507 of the 1995

Session Laws for the 1996-97 fiscal year for the member counties of the Multi-County Water Conservation and Infrastructure District, the sum of five hundred thousand dollars (\$500,000) shall be allocated among Bertie, Granville, Halifax, Martin, Northampton, Person, Vance, and Warren Counties based on the following formula: (i) one-half pro-rata based on population of each member county; and (ii) one-half pro-rata based on land area of each county.

(c) Notwithstanding G.S. 158-15.1 as amended by subsection (a) of this section, of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources for the 1996-97 fiscal year for the member counties of the Multi-County Water Conservation and Infrastructure District, the sum of one million dollars (\$1,000,000) shall be allocated among Caswell, Forsyth, Guilford, Rockingham, Stokes, Surry, and Washington Counties based on the percentage of each member county's land area within that part of the Roanoke River Basin that is located in North Carolina.

Requested by: Senators Perdue, Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

MARINE FISHERIES DOCK MAY BE USED BY OTHER AGENCIES

Sec. 27.21. The Division of Marine Fisheries' Morehead City Dock Facility shall be available for use by the University of North Carolina Institute of Marine Sciences, the North Carolina Sea Grant College Program, and Carteret Community College for their programs and activities.

Requested by: Representatives Mitchell, Weatherly, Senator Martin of Pitt, Jordan, Kerr

ACCOUNTABILITY FOR CERTAIN STATE AGRICULTURE COST SHARE FUNDING

Sec. 27.22. (a) G.S. 143-215.74(b) reads as rewritten:

"(b) The program shall be subject to the following requirements and limitations:

- (1) The purpose of the program shall be to reduce the input of agricultural nonpoint source pollution into the water courses of the State.
- (2) The program shall initially include the present 16 nutrient sensitive watershed counties and 17 additional counties.
- (3) Priority Subject to subdivision (7) of this subsection, priority designations for inclusions in the program shall be under the authority of the Soil and Water Conservation Commission and the Commission. The Soil and Water Conservation Commission shall retain the authority to allocate the cost share funds.
- (4) Areas shall be included in the program as the funds are

appropriated and the technical assistance becomes available from the local Soil and Water Conservation District.

- (5) Funding may be provided to assist practices including conservation tillage, diversions, filter strips, field borders, critical area plantings, sediment control structures, sod-based rotations, grassed waterways, strip-cropping, terraces, cropland conversion to permanent vegetation, grade control structures, water control structures, closure of lagoons, emergency spillways, riparian buffers or equivalent controls, odor control best management practices, insect control best management practices, and animal waste management systems and application. Funding for animal waste management shall be allocated for practices in river basins such that the funds will have the greatest impact in improving water quality.
- (6) State funding shall be limited to seventy-five percent (75%) of the average cost for each practice with the assisted farmer providing twenty-five percent (25%) of the cost (which may include in-kind support) with a maximum of seventy-five thousand dollars (\$75,000) per year to each applicant.
- (7) Priority designation for inclusion in the program for State funding shall be given to projects that improve water quality. To be eligible for cost share funds under this subdivision, a project shall be evaluated before funding is awarded and after the project is completed to determine the impact on water quality."

(b) G.S. 143-215.74 is amended by adding a new subsection to read:

"(e) The Soil and Water Conservation Commission shall report no later than January 31, 1997, and annually thereafter to the Environmental Review Commission and the Fiscal Research Division. This report shall include a list of projects that received State funding pursuant to the program, the results of the evaluations conducted pursuant to subdivision (7) of subsection (b) of this section, findings regarding the effectiveness of each of these projects to accomplish its primary purpose, and any recommendations to assure that State funding is used in the most cost-effective manner and accomplishes the greatest improvement in water quality."

(c) The Division of Soil and Water Conservation, Department of Environment, Health, and Natural Resources, shall report to the Environmental Review Commission no later than January 1, 1997, regarding the desirability of requiring each applicant for State funding under the Agriculture Cost Share Program for Nonpoint Source Pollution Control under Part 9 of Article 21 of Chapter 143 of the General Statutes to submit a nutrient management plan.

(d) This section applies to contracts entered into on or after

ratification of this act.

Requested by: Representatives Holmes, Creech, Esposito, Senator Martin of Pitt

PROHIBIT TRANSFER OF POSITIONS FROM SOIL AND WATER CONSERVATION TO WATER QUALITY

Sec. 27.23. The Department of Environment, Health, and Natural Resources shall not transfer any positions established in this act for the Division of Soil and Water Conservation to the Division of Water Quality.

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

ADOPT-A-BEACH

Sec. 27.24. (a) Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 69.

"Adopt-A-Beach Program.

"§143-660. Definitions.

The following definitions apply in this Article:

- (1) Department. -- The Department of Environment, Health, and Natural Resources.
- (2) Program. -- Adopt-A-Beach Program established by this Article.
- (3) Trash. -- Debris not natural to the coastal environment such as plastic bags, aluminum, glass, and paper products. The term does not include indigenous materials such as driftwood and seaweed.

"§ 143-661. Adopt-A-Beach Program; established; purposes.

The Adopt-A-Beach Program is established within the Department of Environment, Health, and Natural Resources. The purpose of the Program is twofold: (i) to educate citizens and make them more aware of the need to keep the State's coastline clean and free of trash, and (ii) to generate data on the volume and contents of beach pollution.

"§ 143-662. Adopt-A-Beach Program; pilot program; expansion of program reporting requirement.

(a) Initially, the Department shall select five improved ocean accesses and two sound-side accesses to be cleaned up and maintained on a monthly basis. Each access shall be assigned by the Department to an organization or business applying to the Department to participate in the Program. Participants in the Program shall be recognized at their selected access by the placement of an 8"x10" sign bearing the Adopt-A-Beach Program name, sponsor, and participant. The Program shall be expanded to accommodate increased participation as appropriate.

(b) The Department shall report to the Environmental Review Commission by March 15, 1997, and annually thereafter regarding its progress in implementing the Program.

"§ 143-663. Rule-making authority.

The Department may adopt rules to implement this Article."

(b) Of the funds appropriated by this act for the 1996-97 fiscal year to the Department of Environment, Health, and Natural Resources, the sum of thirty thousand dollars (\$30,000) shall be allocated to implement this section.

Requested by: Representatives Holmes, Creech, Esposito, Senators Martin of Pitt, Jordan, Kerr

WATER RESOURCES DEVELOPMENT PROJECTS FUNDS

Sec. 27.26. (a) Of the funds designated in Section 7.11 of this act to the Department of Environment, Health, and Natural Resources for the 1996-97 fiscal year for capital projects, the sum of eight million seven hundred five thousand dollars (\$8,705,000) shall be used for water resources development projects. The Department shall allocate funds for the following projects whose estimated costs are as indicated:

(1)	Jordan Lake Water Supply Repayment	\$130,000
(2)	Wilmington Harbor Maintenance Dredging	575,000
(3)	Morehead City Harbor Maintenance Dredging	50,000
(4)	Wanchese Channel Maintenance Dredging	100,000
(5)	Aquatic Plant Control (statewide, including Lake Gaston)	200,000
(6)	Wilmington Harbor Anchorage Basin Widener	400,000
(7)	Cape Fear - Northeast Cape Fear Deepening	530,000
(8)	North & Manteo Channel Maintenance Dredging	400,000
(9)	State - Local Projects	380,000
(10)	New Hanover County Spoil Disposal	125,000
(11)	Beaufort Harbor	80,000
(12)	Rollinson Channel Maintenance, Dare County	400,000
(13)	Far Creek Channel Maintenance, Hyde County	280,000
(14)	Currituck Sound Flow Study	100,000
(15)	Emergency Flood Control Projects (Section 14)	75,000
(16)	Corps of Engineers Feasibility Studies	100,000
(17)	Planning Assistance to Communities	75,000
(18)	Walter Slough Dredging	500,000
(19)	Whittaker Creek Canal Dredging	425,000
(20)	Carolina Beach South (Kure Beach)	

	Beach Protection	3,580,000
(21)	Dare County Beaches Feasibility Study	<u>200,000</u>
	TOTAL	\$8,705,000

(b) Where the actual costs are different from the estimated costs under subsection (a) of this section, the Department may adjust the allocations among projects as needed. If any projects listed in subsection (a) of this section are delayed and the budgeted State funds cannot be used during the 1996-97 fiscal year, or if the projects listed in subsection (a) of this section are accomplished at a lower cost, the Department may use the resulting fund availability to fund any of the following:

- (1) Corps of Engineers project feasibility studies.
- (2) Corps of Engineers projects whose schedules have advanced and require State matching funds in fiscal year 1996-97.
- (3) State-local Water Resources Development Projects.

Funds not expended or encumbered for these purposes shall revert to the General Fund at the end of the 1997-98 fiscal year.

(c) The Department shall make quarterly reports on the use of these funds to the Joint Legislative Commission on Governmental Operations, the Fiscal Research Division, and the Office of State Budget and Management. Each report shall include all of the following:

- (1) All projects listed in this section.
- (2) The estimated cost of each project.
- (3) The date that work on each project began or is expected to begin.
- (4) The date that work on each project was completed or is expected to be completed.
- (5) The actual cost of each project.

The quarterly reports shall also show those projects advanced in schedule, those projects delayed in schedule, and an estimate of the amount of funds expected to revert to the General Fund.

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

STRAIGHT PIPE ELIMINATION AMNESTY PROGRAM

Sec. 27.26. (a) The Department of Environment, Health, and Natural Resources shall establish a program for the elimination of domestic sewage or wastewater discharges, both direct (straight pipes) and from overland flow of failing septic systems. The initial focus of the program shall include three components: (i) the identification and elimination of domestic sewage discharges into streams proposed to be used or currently used for public water supplies, (ii) an amnesty period to end December 31, 1997, during which violations of State rules and laws regarding domestic sewage and wastewater discharges identified as a result of this program may be reported

and addressed without incurring legal consequences, and (iii) a public education effort regarding the program and the amnesty period.

(b) Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, the sum of one hundred seventeen thousand five hundred dollars (\$117,500) in recurring funds and the sum of twelve thousand five hundred dollars (\$12,500) in nonrecurring funds shall be allocated for two staff positions with the responsibility for carrying out the program developed by the Department of Environment, Health, and Natural Resources pursuant to this section and for other operating costs of implementing this section.

(c) The Department of Environment, Health, and Natural Resources shall report to the Environmental Review Commission and the Fiscal Research Division beginning October 15, 1996, and quarterly thereafter, regarding the implementation of this program.

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

ABOVEGROUND STORAGE TANKS INSPECTION AND MONITORING

Sec. 27.30. (a) Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act for the 1996-97 fiscal year, the sum of two hundred thousand dollars (\$200,000) shall be used to continue to conduct periodic inspections at major oil terminal facilities, as defined in G.S.143-215.77, in Mecklenburg County and the equipment at these facilities to determine whether oil or any other hazardous substance is being discharged into the environment and, at the facility and in the area surrounding the facility, to monitor the quality of the air, water, and soil and analyze air, water, and soil samples to determine the presence of toxic emissions, water quality degradation, or soil contamination.

(b) Beginning October 1, 1996, and quarterly thereafter, the Department of Environment, Health, and Natural Resources shall submit a report of its inspection and monitoring activities pursuant to subsection (a) of this section to the Environmental Review Commission.

Requested by: Senators Martin of Pitt, Jordan, Kerr; Representatives Mitchell, Weatherly, Redwine

WASTEWATER SYSTEM IMPROVEMENT PERMITS

Sec. 27.31. (a) G.S. 130A-334(7b) reads as ewritten:

"(7b) 'Plat' means a property survey prepared by a registered land surveyor, drawn to a scale of one inch equals no more than 60 feet, that includes: the specific location of the proposed facility and appurtenances, the site for the proposed wastewater system, and the location of water supplies and

surface waters. 'Plat' also means, for subdivision lots approved by the local planning authority and recorded with the county register of deeds, a copy of the recorded subdivision plat that is accompanied by a site plan that is drawn to scale."

(b) G.S. 130A-334(13a) reads as rewritten:

"(13a) 'Site plan' means a drawing not necessarily drawn to scale that shows the existing and proposed property lines with dimensions, the location of the facility and appurtenances, the site for the proposed wastewater system, and the location of water supplies and surface waters."

(c) G.S. 130A-335(f) reads as rewritten:

"(f) The rules of the Commission and the rules of the local board of health shall classify systems of wastewater collection, treatment and disposal according to size, type of treatment and any other appropriate factors. The rules shall provide construction requirements, including pretreatment and system control requirements, standards for operation, maintenance, monitoring, reporting, and ownership requirements for each classification of systems of wastewater collection, treatment and disposal in order to prevent, as far as reasonably possible, any contamination of the land, groundwater and surface waters. The Department and local health departments may impose conditions on the issuance of permits and may revoke the permits for failure of the system to satisfy the conditions, the rules or this Article. Permits other than improvement permits shall be valid for a period prescribed by rule. Improvement permits shall be valid upon a showing satisfactory to the Department or the local health department that the site and soil conditions are unaltered, that the facility, design wastewater flow, and wastewater characteristics are not increased, and that a wastewater system can be installed that meets the permitting requirements in effect on the date the improvement permit was issued. Improvement permits for which a plat is provided shall be valid without expiration. Improvement permits for which a site plan is provided shall be valid for five years. A statement The period of time for which the permit is valid and a statement that the permit is subject to revocation if the site plan or plat, whichever is applicable, or the intended use changes shall be displayed prominently on both the application form for the permit and the ~~permit that states that the permit is subject to revocation if site plans or the intended use change.~~ permit."

(d) G.S. 130A-336(a) reads as rewritten:

"(a) Any proposed site for a residence, place of business, or place of public assembly in an area not served by an approved wastewater system shall be evaluated by the local health department in accordance with rules adopted pursuant to this Article. An improvement permit shall be issued in compliance with the rules adopted pursuant to this Article. An improvement permit shall

include:

- (1) For permits that are valid without expiration, a plat or, for permits that are valid for five years, a site plan.
- (2) A description of the facility the proposed site is to serve.
- (3) The proposed wastewater ~~system~~ system and its location.
- (4) The conditions for any site modifications.
- (5) Any other information required by the rules of the Commission.

The improvement permit shall not be affected by change in ownership of the site for the wastewater system provided both the site for the wastewater system and the facility the system serves are unchanged and remain under the ownership or control of the person owning the facility. No person shall commence or assist in the construction, location, or relocation of a residence, place of business, or place of public assembly in an area not served by an approved wastewater system unless an improvement permit and an authorization for wastewater system construction are obtained from the local health department. This requirement shall not apply to a manufactured residence exhibited for sale or stored for later sale and intended to be located at another site after sale."

(e) G.S. 130A-336(b) reads as rewritten:

"(b) The local health department shall issue an authorization for wastewater system construction authorizing work to proceed and the installation or repair of a wastewater system when it has determined after a field investigation that the system can be installed and operated in compliance with this Article and rules adopted pursuant to this Article. This authorization for wastewater system construction shall be valid for a period ~~of five years~~ equal to the period of validity of the improvement permit, not to exceed five years, and may be issued at the same time the improvement permit is issued. No person shall commence or assist in the installation, construction, or repair of a wastewater system unless an improvement permit and an authorization for wastewater system construction have been obtained from the Department or the local health department. No improvement permit or authorization for wastewater system construction shall be required for maintenance of a wastewater system. The Department and the local health department may impose conditions on the issuance of an improvement permit and an authorization for wastewater system construction."

(f) G.S. 130A-336 is amended by adding a new subsection to read:

"(d) If a local health department repeatedly fails to issue or deny improvement permits for conventional septic tank systems within 60 days of receiving completed applications for the permits, then the Department of Environment, Health, and Natural Resources may withhold public health funding from that local health department."

(g) This section becomes effective upon the ratification date of this act and applies to all applications for permits filed on or after that date.

Requested by: Senators Martin of Pitt, Jordan, Kerr; Representatives Mitchell, Weatherly

ENVIRONMENTAL REPORTS

Sec. 27.32. (a) The Department of Environment, Health, and Natural Resources shall report to the Environmental Review Commission, the Joint Legislative Commission on Governmental Operations, the Scientific Advisory Council on Water Resources and Coastal Fisheries Management, and the Fiscal Research Division on January 1, 1997, and July 1, 1997, on:

- (1) Actions taken to reorganize the Department to make the Department operate more efficiently and effectively.
- (2) Actions taken by the Environmental Management Commission, the Coastal Resources Commission, and the Marine Fisheries Commission to enhance communication, and to develop a strategic plan to coordinate and consolidate activities.
- (3) Progress made to implement initiatives to protect and restore impaired water quality in the Neuse River Basin and in nutrient sensitive waters including a report on implementation of the animal waste management system permits.

(b) The Primary Investigator or Researcher receiving funding from the State shall report to the Environmental Review Commission, the Joint Legislative Commission on Governmental Operations, the Scientific Advisory Council on Water Resources and Coastal Fisheries Management, and the Fiscal Research Division on January 1, 1997, and July 1, 1997, on preliminary and final results of research projects and studies on:

- (1) Odor control technology;
- (2) Sources of nitrogen through isotope markers;
- (3) Groundwater impacts of lagoons;
- (4) Atmospheric deposition of nitrogen in the Neuse Estuary; and
- (5) Alternative animal waste technologies.

Requested by: Senators Perdue, Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

CORE SOUND/DESCRIPTION OF AREA A FOR SHELLFISH LEASE MORATORIUM.

Sec. 27.33. Section 3 of Chapter 547 of the 1995 Session Laws (1996 Regular Session) as amended by Section 1 of Chapter 633 of the 1995 Session Laws (1996 Regular Session) reads as rewritten:

"Sec. 3. Notwithstanding G.S. 113-202, a moratorium on new shellfish cultivation leases shall be imposed in the remaining area of Core Sound not

described in Section 1 of this act. During the moratorium, a comprehensive study of the shellfish lease program shall be conducted. The moratorium established under this section covers that part of Core Sound bounded by a line beginning at a point on Cedar Island at 35°00'39"N - 76°17'48"W, thence 109°(M) to a point in Core Sound 35°00'00"N - 76°12'42"W, thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at 34°43'30"N - 76°29'00"W, thence 207°(M) to the Cape Lookout Lighthouse at 34°37'24"N - 76°31'30"W, thence 12°(M) to a point at Marshallberg at 34°43'07"N - 76°31'12"W, thence following the shoreline in a northerly direction to the point of beginning except that the highway bridges at Salters Creek, Thorofare Bay, and the Rumley Bay ditch shall be considered shoreline. The moratorium shall expire July 1, 1997."

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

ENVIRONMENTAL TECHNICAL CORRECTIONS

Sec. 27.34. (a) G.S. 143-215.10A, as enacted by Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.), reads as rewritten:

"§ 143-215.10A. Legislative findings and intent.

The General Assembly finds that animal operations provide significant economic and other benefits to this State. The growth of animal operations in recent years has increased the importance of good animal waste management practices to protect water quality. It is critical that the State balance growth with prudent environmental safeguards. It is the intention of the State to promote a cooperative and coordinated approach to animal waste management among the agencies of the State with a primary emphasis on technical assistance to farmers. To this end, the General Assembly intends to establish a permitting program for animal waste management systems that will protect water quality and promote innovative systems and practices while minimizing the regulatory burden. Technical assistance, through operations reviews, will be provided by the Division of Soil and Water Conservation. Permitting, inspection, and enforcement will be vested in the Division of ~~Environmental Management~~. Water Quality."

(b) G.S. 143-215.10B(4), as enacted by Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.), reads as rewritten:

"(4) 'Division' means the Division of ~~Environmental Management~~ Water Quality of the Department."

(c) G.S. 90A-47.3(b), as enacted by Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.), reads as rewritten:

"(b) The Commission, in cooperation with the Division of ~~Environmental Management~~ Water Quality of the Department of Environment, Health, and Natural Resources, and the Cooperative Extension Service, shall develop and administer a training program for animal waste management system operators

in charge. An applicant for initial certification shall complete 10 hours of classroom instruction prior to taking the examination. In order to remain certified, an animal waste management system operator in charge shall complete six hours of approved additional training during each three-year period following initial certification. A certified animal waste management system operator in charge who fails to complete approved additional training within 30 days of the end of the three-year period shall take and pass the examination for certification in order to renew the certificate."

(d) G.S. 106-805(5), as enacted by Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.), reads as rewritten:

"(5) Information informing the adjoining property owners and the property owners who own property located across a public road, street, or highway from the swine farm that they may submit written comments to the Division of ~~Environmental Management~~, Water Quality, Department of Environment, Health, and Natural Resources."

(e) Subsection (b) of Section 17 of Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.) reads as rewritten:

"(b) The interagency group shall consist of two representatives from each of the following State agencies: the Division of Soil and Water Conservation, Department of Environment, Health, and Natural Resources; the Division of ~~Environmental Management~~, Water Quality, Department of Environment, Health, and Natural Resources; the Department of Agriculture; and the Cooperative Extension Service. The General Assembly encourages the Natural Resources Conservation Service, United States Department of Agriculture, to provide two representatives from its agency to participate fully as members of the interagency group. The interagency group shall remain in existence until such time after December 31, 1997, that the Secretary of Environment, Health, and Natural Resources determines the interagency group is no longer needed to resolve issues related to certifying animal waste management plans."

(f) Section 18 of Chapter 743 of the 1995 Session Laws (1996 Reg. Sess.) reads as rewritten:

"Sec. 18. G.S. ~~143-215.114(g)~~ 143-215.114A(g) is repealed."

(g) This section becomes effective 1 July 1996.

Requested by: Representatives Mitchell, Weatherly, Nichols, Senators Martin of Pitt, Jordan, Kerr

STUDY ALTERNATIVE ANIMAL WASTE TECHNOLOGIES

Sec. 27.35. Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of five hundred thousand dollars (\$500,000) for the 1996-97 fiscal year shall be transferred to the Board of Governors of The University of North Carolina for

the North Carolina Agricultural Research Service at North Carolina State University to serve as focal points for experimentation with and testing of alternative animal waste disposal technologies for use in agriculture. No later than January 1, 1997, the Board of Governors shall report to the Environmental Review Commission and the Fiscal Research Division on progress under the research, including any findings and recommendations at that time.

Requested by: Senators Plyler, Perdue, Odom, Representatives Holmes, Creech, Esposito

ENSURE LEGISLATIVE REVIEW OF CERTAIN RULES

Sec. 27.36. G.S. 150B-21.3(c) does not apply to a rule that extends the date set in 15A NCAC 13B .1627(c)(10)(A) for closure of a municipal solid waste landfill facility beyond January 1, 2000.

Requested by: Senators Martin of Pitt, Odom, Jordan, Kerr, Representatives Mitchell, Weatherly

OPERATION OF PERMIT INFORMATION CENTER

Sec. 27.37. The Department of Environment, Health, and Natural Resources may operate the Permit Information Center in order to improve permit applications, guidance materials, applicant and citizen training, and other purposes.

PART 28. SALARIES AND BENEFITS

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

GOVERNOR AND COUNCIL OF STATE

Sec. 28. (a) Effective September 1, 1996, G.S. 147-11(a) reads as rewritten:

"(a) The salary of the Governor shall be ~~ninety-eight thousand five hundred seventy-six dollars (\$98,576)~~ one hundred three thousand twelve dollars (\$103,012) annually, payable monthly."

(b) Effective September 1, 1996, Section 7.1(b) of Chapter 507 of the 1995 Session Laws reads as rewritten:

"(b) The annual salaries for the members of the Council of State, payable monthly, for the ~~1995-96 and 1996-97 fiscal years~~ year, beginning September 1, 1996, are:

<u>Council of State</u>	<u>Annual Salary</u>	
Lieutenant Governor	\$87,000	\$90,915
Attorney General	87,000	90,915
Secretary of State	87,000	90,915

State Treasurer	87,000	<u>90,915</u>
State Auditor	87,000	<u>90,915</u>
Superintendent of Public Instruction	87,000	<u>90,915</u>
Agriculture Commissioner	87,000	<u>90,915</u>
Insurance Commissioner	87,000	<u>90,915</u>
Labor Commissioner	87,000	<u>90,915"</u>

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

NONELECTED DEPARTMENT HEADS

Sec. 28.1. Effective September 1, 1996, Section 7.2 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 7.2. In accordance with G.S. 143B-9, the maximum annual salaries, payable monthly, for the nonelected heads of the principal State departments for the ~~1995-96~~ and 1996-97 fiscal ~~years~~ year, beginning September 1, 1996, are:

<u>Nonelected Department Heads</u>	<u>Annual Salary</u>	
Secretary of Administration	\$85,000	<u>\$88,825</u>
Secretary of Correction	85,000	<u>88,825</u>
Secretary of Cultural Resources	85,000	<u>88,825</u>
Secretary of Commerce	85,000	<u>88,825</u>
Secretary of Environment, Health, and Natural Resources	85,000	<u>88,825</u>
Secretary of Human Resources	85,000	<u>88,825</u>
Secretary of Revenue	85,000	<u>88,825</u>
Secretary of Transportation	85,000	<u>88,825</u>
Secretary of Crime Control and Public Safety	85,000	<u>88,825"</u>

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

CERTAIN EXECUTIVE BRANCH OFFICIALS

Sec. 28.2. (a) Effective September 1, 1996, Section 7.3 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 7.3. The annual salaries, payable monthly, for the ~~1995-96~~ and 1996-97 fiscal ~~years~~ year, beginning September 1, 1996, for the following executive branch officials are:

<u>Executive Branch Officials</u>	<u>Annual Salary</u>	
Chairman, Alcoholic Beverage Control Commission	\$77,365	<u>\$80,846</u>

State Controller	108,271 <u>113,143</u>
Commissioner of Motor Vehicles	77,365 <u>80,846</u>
Commissioner of Banks	77,365 <u>80,846</u>
Chairman, Employment Security Commission	77,365
State Personnel Director	85,000 <u>88,825</u>
Chairman, Parole Commission	70,643 <u>73,822</u>
Members of the Parole Commission	65,220 <u>68,155</u>
Chairman, Industrial Commission	69,510 <u>72,638</u>
Members of the Industrial Commission	67,817 <u>70,869</u>
Chairman of the Utilities Commission	81,381
Commissioner of the Utilities Commission	80,381
Executive Director, Agency for Public Telecommunications	65,220 <u>68,155</u>
General Manager, Ports Railway Commission	58,893 <u>61,543</u>
Director, Museum of Art	79,274 <u>82,841</u>
Executive Director, Wildlife Resources Commission	66,773 <u>69,778</u>
Executive Director, North Carolina Housing Finance Agency	95,746 <u>100,055</u>
Executive Director, North Carolina Agricultural Finance Authority	75,302 <u>78,691</u>
Director, Office of Administrative Hearings	76,500 <u>79,943"</u>

(b) Effective September 1, 1996, G.S. 62-10(h) reads as rewritten:

"(h) The salary of each commissioner ~~and that of the commissioner designated as chairman~~ shall be set by the General Assembly in the Current Operations Appropriations Act: shall be the same as that fixed from time to time for judges of the superior court except that the commissioner designated as the chairman shall receive one thousand dollars (\$1,000) additional per annum. In lieu of merit and other increment raises paid to regular State employees, each commissioner, including the commissioner designated as chairman, shall receive as longevity pay an amount equal to four and eight-tenths percent (4.8%) of the annual salary set forth in the Current Operations Appropriations Act payable monthly after five years of service, and nine and six-tenths percent (9.6%) after 10 years of service. 'Service' means service as a member of the Utilities Commission."

(c) Effective September 1, 1996, G.S. 96-3(c) reads as rewritten:

"(c) Salaries. -- The chairman of the Employment Security Commission of North Carolina, appointed by the Governor, shall be paid from the Employment Security Administration Fund a salary payable on a monthly basis, which salary shall be fixed by the ~~General Assembly in the Current Operations Appropriations Act;~~ appointing officer in an amount no higher than the highest salary set by the General Assembly for an executive branch official; and the members of the Commission, other than the chairman, shall each receive the same amount per diem for their services as is provided for the

members of other State boards, commissions, and committees who receive compensation for their services as such, including necessary time spent in traveling to and from his place of residence within the State to the place of meeting while engaged in the discharge of the duties of his office and his actual traveling expenses, the same to be paid from the aforesaid fund."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

JUDICIAL BRANCH OFFICIALS

Sec. 28.3. Effective September 1, 1996, Section 7.4 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 7.4. (a) The annual salaries, payable monthly, for specified judicial branch officials for the ~~1995-96 and 1996-97 fiscal years~~ year, beginning September 1, 1996, are:

<u>Judicial Branch Officials</u>	<u>Annual Salary</u>
Chief Justice, Supreme Court	\$98,576 <u>\$103,012</u>
Associate Justice, Supreme Court	96,000 <u>100,320</u>
Chief Judge, Court of Appeals	93,600 <u>97,812</u>
Judge, Court of Appeals	92,000 <u>96,140</u>
Judge, Senior Regular Resident Superior Court	89,500 <u>93,528</u>
Judge, Superior Court	87,000 <u>90,915</u>
Chief Judge, District Court	79,000 <u>82,555</u>
Judge, District Court	76,500 <u>79,943</u>
District Attorney	80,600 <u>84,227</u>
Administrative Officer of the Courts	89,500 <u>93,528</u>
Assistant Administrative Officer of the Courts	75,160 <u>78,542</u>
Public Defender	80,600 <u>84,227</u>

(b) The district attorney or public defender of a judicial district, with the approval of the Administrative Officer of the Courts, shall set the salaries of assistant district attorneys or assistant public defenders, respectively, in that district such that the average salaries of assistant district attorneys or assistant public defenders in that district do not exceed ~~forty-nine thousand five hundred eighty dollars (\$49,580)~~, fifty-one thousand eight hundred eleven dollars (\$51,811) and the minimum salary of any assistant district attorney or assistant public defender is at least ~~twenty-five thousand three hundred twelve dollars (\$25,312) effective July 1, 1995;~~ twenty-six thousand four hundred fifty-one dollars (\$26,451) effective September 1, 1996.

(c) The salaries in effect ~~for the 1994-95 fiscal year~~ on August 31, 1996, for permanent, full-time employees of the Judicial Department, except for those whose salaries are itemized in this Part, shall be increased by ~~two percent~~

~~(2%), commencing July 1, 1995. four and five-tenths percent (4.5%), commencing September 1, 1996.~~

(d) The salaries in effect ~~for the 1994-95 fiscal year~~ on August 31, 1996, for all permanent, part-time employees of the Judicial Department shall be increased on and after ~~July 1, 1995, September 1, 1996~~, by pro rata amounts of the ~~two percent (2%).~~ four and five-tenths percent (4.5%)."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

CLERKS OF SUPERIOR COURT

Sec. 28.4. Effective September 1, 1996, G.S. 7A-101(a) reads as rewritten:

"(a) The clerk of superior court is a full-time employee of the State and shall receive an annual salary, payable in equal monthly installments, based on the population of the county as determined in subsection (a1) of this section, according to the following schedule:

Population	Annual Salary
Less than 100,000	\$57,670 <u>\$60,265</u>
100,000 to 149,999	64,780 <u>67,695</u>
150,000 to 249,999	71,890 <u>75,125</u>
250,000 and above	79,000. <u>82,555.</u>

The salary schedule in this subsection is intended to represent the following percentage of the salary of a chief district court judge:

Less than 100,000	73%
100,000 to 149,999	82%
150,000 to 249,999	91%
250,000 and above	100%.

When a county changes from one population group to another, the salary of the clerk shall be changed, on July 1 of the fiscal year for which the change is reported, to the salary appropriate for the new population group, except that the salary of an incumbent clerk shall not be decreased by any change in population group during his continuance in office."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

ASSISTANT AND DEPUTY CLERKS OF SUPERIOR COURT

Sec. 28.5. Effective September 1, 1996, G.S. 7A-102(c1) reads as rewritten:

"(c1) A full-time assistant clerk or a full-time deputy clerk, and up to one full-time deputy clerk serving as head bookkeeper per county, shall be paid an annual salary subject to the following minimum and maximum rates:

Assistant Clerks and Head Bookkeeper**Annual Salary**

Minimum	\$21,549	<u>\$22,519</u>
Maximum	38,154	<u>39,871</u>

Deputy Clerks**Annual Salary**

Minimum	\$17,229	<u>\$18,004</u>
Maximum	29,389	<u>30,712</u> ."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

MAGISTRATES' PAY PLAN

Sec. 28.6. (a) Effective September 1, 1996, G.S. 7A-171.1(a)(1) reads as rewritten:

"(1) A full-time magistrate shall be paid the annual salary indicated in the table set out in this subdivision. A full-time magistrate is a magistrate who is assigned to work an average of not less than 40 hours a week during the term of office. The Administrative Officer of the Courts shall designate whether a magistrate is full-time. Initial appointment shall be at the entry rate. A magistrate's salary shall increase to the next step every two years on the anniversary of the date the magistrate was originally appointed for increases to Steps 1 through 3, and every four years on the anniversary of the date the magistrate was originally appointed for increases to Steps 4 through 6.

Table of Salaries of Full-Time Magistrates

Step Level	Annual Salary	
Entry Rate	\$23,417	<u>\$24,471</u>
Step 1	25,767	<u>26,927</u>
Step 2	28,325	<u>29,600</u>
Step 3	31,116	<u>32,516</u>
Step 4	34,173	<u>35,711</u>
Step	37,533	<u>39,222</u>
Step 6	41,228	<u>43,083</u> ."

(b) Effective September 1, 1996, G.S. 7A-171.1(a)(1) reads as rewritten:

"(1) The salaries of magistrates who on June 30, 1994, were paid at a salary level of less than five years of service under the table in effect that date shall be as follows:

Less than 1 year of service	\$18,457
1 or more but less than 3 years of service	19,406 20,279
3 or more but less than 5 years of service	21,314 22,273

Upon completion of five years of service, those magistrates shall receive the salary set as the Entry Rate in the table in subsection (a)."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

GENERAL ASSEMBLY PRINCIPAL CLERKS

Sec. 28.7. Effective September 1, 1996, G.S. 120-37(c) reads as rewritten:

"(c) The principal clerks shall be full-time officers. Each principal clerk shall be entitled to other benefits available to permanent legislative employees and shall be paid an annual salary of ~~fifty-five thousand eighty dollars (\$55,080)~~ fifty-seven thousand five hundred fifty-nine dollars (\$57,559) payable monthly. The Legislative Services Commission shall review the salary of the principal clerks prior to submission of the proposed operating budget of the General Assembly to the Governor and Advisory Budget Commission and shall make appropriate recommendations for changes in those salaries. Any changes enacted by the General Assembly shall be by amendment to this paragraph."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

SERGEANT-AT-ARMS AND READING CLERKS

Sec. 28.8. Effective September 1, 1996, G.S. 120-37(b) reads as rewritten:

"(b) The sergeant-at-arms and the reading clerk in each house shall be paid a salary of ~~two hundred thirty-seven dollars (\$237.00) per week~~, two hundred forty-eight dollars (\$248.00) per week plus subsistence at the same daily rate provided for members of the General Assembly, plus mileage at the rate provided for members of the General Assembly for one round trip only from their homes to Raleigh and return. The sergeants-at-arms shall serve during sessions of the General Assembly and at such time prior to the convening of, and subsequent to adjournment or recess of, sessions as may be authorized by the Legislative Services Commission. The reading clerks shall serve during sessions only."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

LEGISLATIVE EMPLOYEES

Sec. 28.9. Effective September 1, 1996, Section 7.11 of Chapter 507

of the 1995 Session Laws reads as rewritten:

"Sec. 7.11. The Legislative Administrative Officer shall increase the salaries of nonelected employees of the General Assembly in effect for fiscal year ~~1994-95 by two percent (2%). 1995-96 by four and five-tenths percent (4.5%).~~ Nothing in this act limits any of the provisions of G.S. 120-32."

Requested by: Representatives Holmes, Creech, Esposito, Grady, Preston, Senators Plyler, Perdue, Odom, Winner, Plexico

COMMUNITY COLLEGES PERSONNEL

Sec. 28.10. Effective September 1, 1996, Section 7.12 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 7.12. The Director of the Budget shall transfer from the Reserve for Salary Increases created in this act for fiscal year ~~1995-96~~ 1996-97 funds to the Department of Community Colleges necessary to provide an average annual salary increase of ~~two percent (2%).~~ four and five-tenths percent (4.5%), including funds for the employer's retirement and social security contributions, commencing ~~July 1, 1995,~~ September 1, 1996, for all permanent full-time community college institutional personnel supported by State funds. The State Board of Community Colleges shall establish guidelines for providing their salary increases to community college institutional ~~personnel.~~ personnel to include consideration of increases based on performance. Salary funds shall be used to provide an average annual salary increase of ~~two percent (2%)~~ four and five-tenths percent (4.5%) to all full-time employees and part-time employees on a pro rata basis."

Requested by: Representatives Holmes, Creech, Esposito, Grady, Preston, Senators Plyler, Perdue, Odom, Winner, Plexico

UNIVERSITY OF NORTH CAROLINA SYSTEM - EPA SALARY INCREASES

Sec. 28.11. (a) The Director of the Budget shall transfer to the Board of Governors of The University of North Carolina sufficient funds from the Reserve for Salary Increases created in this act for fiscal year 1996-97 to provide an annual average salary increase of four and five-tenths percent (4.5%), including funds for the employer's retirement and social security contributions, commencing September 1, 1996, for all employees of The University of North Carolina, as well as employees other than teachers of the North Carolina School of Science and Mathematics, supported by State funds and whose salaries are exempt from the State Personnel Act (EPA). These funds shall be allocated to individuals according to the rules adopted by the Board of Governors, or the Board of Trustees of the North Carolina School of Science and Mathematics, as appropriate, and may not be used for any purpose other than for salary increases and necessary employer contributions provided by this section. The Board of Governors shall include consideration of

increases based on performance in its adoption of rules for the allocation of funds for salary increases.

(b) The Director of the Budget shall transfer to the Board of Governors of The University of North Carolina sufficient funds from the Reserve for Salary Increases created in this act for fiscal year 1996-97 to provide an annual average salary increase of five and five-tenths percent (5.5%), including funds for the employer's retirement and social security contributions, commencing September 1, 1996, for all teaching employees of the North Carolina School of Science and Mathematics, supported by State funds and whose salaries are exempt from the State Personnel Act (EPA). These funds shall be allocated to individuals according to the rules adopted by the Board of Trustees of the North Carolina School of Science and Mathematics, and may not be used for any purpose other than for salary increases and necessary employer contributions provided by this section.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

MOST STATE EMPLOYEES

Sec. 28.12. Section 7.14 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 7.14. (a) The salaries in effect ~~June 30, 1995~~, August 31, 1996, of all permanent full-time State employees whose salaries are set in accordance with the State Personnel Act, and who are paid from the General Fund or the Highway Fund shall be increased, on or after ~~July 1, 1995~~, September 1, 1996, unless otherwise provided by this act, ~~by two percent (2%) pursuant to the Comprehensive Compensation System set forth in G.S. 126-7 and rules adopted by the State Personnel Commission, as follows:~~

- (1) Career growth recognition awards in the amount of two percent (2%); and
- (2) A cost-of-living adjustment in the amount of two and five-tenths percent (2.5%).

Notwithstanding G.S. 126-7(4a), any permanent full-time State employee whose salary is set in accordance with the State Personnel Act and whose salary is at the top of the salary range or within two percent (2%) of the top of the salary range shall receive a one-time bonus of two percent (2%) less the career growth recognition award the employee receives. The employee shall receive the career growth bonus at the time the employee is eligible for the career growth recognition award, but not earlier than September 1, 1996.

(b) Except as otherwise provided in this act, salaries in effect ~~June 30, 1995~~, August 31, 1996, for permanent full-time State officials and persons in exempt positions that are recommended by the Governor or the Governor and the Advisory Budget Commission and set by the General Assembly shall be increased by ~~two percent (2%), commencing July 1, 1995~~, four and five-tenths

percent (4.5%), commencing September 1, 1996.

(c) The salaries in effect ~~June 30, 1995;~~ August 31, 1996, for all permanent part-time State employees shall be increased on and after ~~July 1, 1995;~~ September 1, 1996, by pro rata amounts of the salary increases provided for permanent full-time employees covered under subsection (a) of this section.

(d) The Director of the Budget may allocate out of special operating funds or from other sources of the employing agency, except tax revenues, sufficient funds to allow a salary increase on and after ~~July 1, 1995;~~ September 1, 1996, in accordance with subsections (a), (b), or (c) of this section, including funds for the employer's retirement and social security contributions, of the permanent full-time and part-time employees of the agency.

(e) Within regular Executive Budget Act procedures as limited by this act, all State agencies and departments may increase on an equitable basis the rate of pay of temporary and permanent hourly State employees, subject to availability of funds in the particular agency or department, by pro rata amounts of the four and five-tenths percent (4.5%) salary increase provided for permanent full-time employees covered by the provisions of subsection (a) of this section, commencing ~~July 1, 1995;~~ September 1, 1996.

(f) ~~No~~ Except as provided by subsection (a) of this section, no person may receive a salary increase under G.S. 126-7 during the ~~1995-96~~ 1996-97 fiscal year, and no State employee or officer shall receive a merit increment during the ~~1995-96 and~~ 1996-97 fiscal ~~years~~ year except as otherwise provided by this act."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odum

ALL STATE-SUPPORTED PERSONNEL

Sec. 28.13. (a) Salaries and related benefits for positions that are funded partially from the General Fund or Highway Fund and partially from sources other than the General Fund or Highway Fund shall be increased from the General Fund or Highway Fund appropriation only to the extent of the proportionate part of the salaries paid from the General Fund or Highway Fund.

(b) The granting of the salary increases under this act does not affect the status of eligibility for salary increments for which employees may be eligible unless otherwise required by this act.

(c) The salary increases provided in this Part are to be effective September 1, 1996, do not apply to persons separated from State service due to resignation, dismissal, reduction in force, death, or retirement, whose last workday is prior to September 1, 1996, or to employees involved in final written disciplinary procedures. The employee shall receive the increase on a current basis when the final written disciplinary procedure is resolved.

Payroll checks issued to employees after September 1, 1996, which

represent payment of services provided prior to September 1, 1996, shall not be eligible for salary increases provided for in this act. This subsection shall apply to all employees, subject to or exempt from the State Personnel Act, paid from State funds, including public schools, community colleges, and The University of North Carolina.

(d) The Director of the Budget shall transfer from the Reserve for Salary Increases in this act for fiscal year 1996-97 all funds necessary for the salary increases provided by this act, including funds for the employer's retirement and social security contributions.

(e) Nothing in this act authorizes the transfer of funds between the General Fund and the Highway Fund for salary increases.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

TEACHER SALARY SCHEDULES

Sec. 28.14. (a) Effective with the third payroll period of the 1996-97 fiscal year, the Director of the Budget may transfer from the Reserve for Salary Increases for the 1996-97 fiscal year funds necessary to implement the teacher salary schedule set out in subsection (b) of this section, including funds for the employer's retirement and social security contributions and funds for annual longevity payments at one percent (1%) of base salary for 10 to 14 years of State service, one and one-half percent (1.5%) of base salary for 15 to 19 years of State service, two percent (2%) of base salary for 20 to 24 years of State service, and two and one-half percent (2.5%) of base salary for 25 or more years of State service, commencing with the third payroll period of the 1996-97 fiscal year, for all teachers whose salaries are supported from the State's General Fund. These funds shall be allocated to individuals according to rules adopted by the State Board of Education and the Superintendent of Public Instruction. The longevity payment shall be paid in a lump sum once a year.

(b)(1) For the third through the twelfth payroll periods of the 1996-97 fiscal year, the following monthly salary schedule shall apply to certified personnel of the public schools who are classified as "A" teachers. The schedule contains 30 steps with each step corresponding to one year of teaching experience.

<u>Years of Experience</u>	<u>Monthly Salary</u>
0	\$2,133
1	2,175
2	2,218
3	2,306
4	2,353

5	2,401
6	2,450
7	2,499
8	2,548
9	2,598
10	2,650
11	2,703
12	2,757
13	2,812
14	2,868
15	2,925
16	2,983
17	3,043
18	3,104
19	3,167
20	3,230
21	3,294
22	3,359
23	3,426
24	3,495
25	3,565
26	3,636
27	3,709
28	3,783
29	3,859
30+	3,859

- (2) For the third through the twelfth payroll periods of the 1996-97 fiscal year, the following monthly salary schedule shall apply to certified personnel of the public schools who are classified as "G" teachers. The schedule contains 30 steps with each step corresponding to one year of teaching experience.

<u>Years of Experience</u>	<u>Monthly Salary</u>
0	\$2,266
1	2,311
2	2,357
3	2,451
4	2,501
5	2,551
6	2,602
7	2,654

8	2,707
9	2,761
10	2,816
11	2,872
12	2,929
13	2,987
14	3,047
15	3,108
16	3,170
17	3,233
18	3,298
19	3,364
20	3,431
21	3,500
22	3,570
23	3,641
24	3,714
25	3,788
26	3,864
27	3,941
28	4,020
29	4,100
30+	4,100

- (3) Certified public school teachers with certification based on academic preparation at the six-year degree level shall receive a salary supplement of one hundred twenty-six dollars (\$126.00) per month in addition to the compensation provided for certified personnel of the public schools who are classified as "G" teachers. Certified public school teachers with certification based on academic preparation at the doctoral degree level shall receive a salary supplement of two hundred fifty-three dollars (\$253.00) per month in addition to the compensation provided for certified personnel of the public schools who are classified as "G" teachers.

(c) Effective with the third payroll period of the 1996-97 fiscal year, the first step of the salary schedule for school psychologists shall be equivalent to Step 5, corresponding to five years of experience, on the salary schedule established in this section for certified personnel of the public schools who are classified as "G" teachers. Certified psychologists shall be placed on the salary schedule at an appropriate step based on their years of experience. Certified psychologists shall receive longevity payments based on years of State service in the same manner as teachers.

Certified psychologists with certification based on academic

preparation at the six-year degree level shall receive a salary supplement of one hundred twenty-six dollars (\$126.00) per month in addition to the compensation provided for certified psychologists. Certified psychologists with certification based on academic preparation at the doctoral degree level shall receive a salary supplement of two hundred fifty-three dollars (\$253.00) per month in addition to the compensation provided for certified psychologists.

(d) Effective with the third payroll period of the 1996-97 fiscal year, speech pathologists who hold masters degrees and who are employed in the public schools as speech and language specialists shall be paid on the school psychologist salary schedule.

Speech pathologists with certification based on academic preparation at the six-year degree level shall receive a salary supplement of one hundred twenty-six dollars (\$126.00) per month in addition to the compensation provided for speech pathologists. Speech pathologists with certification based on academic preparation at the doctoral degree level shall receive a salary supplement of two hundred fifty-three dollars (\$253.00) per month in addition to the compensation provided for speech pathologists.

(e) The provisions of Section 7.18 of Chapter 507 of the 1995 Session Laws and the salaries, longevity, and salary supplements set by that section shall remain in effect through the second payroll period of the 1996-97 fiscal year, except that teachers and other employees shall not receive credit for a year of service performed during the 1995-96 school year until the beginning of the third payroll period of the 1996-97 fiscal year.

(f) Certified personnel of the public schools who are: (i) classified as "A" teachers; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996-97 fiscal year; and (iii) employed as teachers for the first three pay periods of the 1996-97 school year shall receive a one-time bonus of seven hundred thirty-three dollars (\$733.00), payable at the third payroll period of the 1996-97 school year. Certified personnel of the public schools who are: (i) classified as "G" teachers; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996-97 fiscal year; and (iii) employed as teachers for the first three pay periods of the 1996-97 school year shall receive a one-time bonus of seven hundred seventy-nine dollars (\$779.00), payable at the third payroll period of the 1996-97 school year. Certified personnel of the public schools who are: (i) certified based on academic preparation at the six-year degree level; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996-97 fiscal year; and (iii) employed as teachers for the first three pay periods of the 1996-97 school year shall receive a one-time bonus of eight hundred four dollars (\$804.00), payable at the third payroll period of the 1996-97 school year. Certified personnel of the public schools who are: (i) certified based on academic preparation at the doctoral degree level; (ii) at the maximum of their

pay range at the beginning of the third payroll period of the 1996-97 fiscal year; and (iii) employed as teachers for the first three pay periods of the 1996-97 school year shall receive a one-time bonus of eight hundred twenty-nine dollars (\$829.00), payable at the third payroll period of the 1996-97 school year.

(g) Certified personnel of the public schools who are: (i) classified as psychologists with advanced degrees; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996-97 fiscal year; and (iii) employed as school psychologists for the first three pay periods of the 1996-97 school year shall receive a one-time bonus of eight hundred eighty-five dollars (\$885.00), payable at the third payroll period of the 1996-97 school year. Certified personnel of the public schools who are: (i) classified as psychologists with doctoral degrees; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996-97 fiscal year; and (iii) employed as school psychologists for the first three pay periods of the 1996-97 school year shall receive a one-time bonus of nine hundred ten dollars (\$910.00), payable at the third payroll period of the 1996-97 school year.

(h) Speech pathologists who (i) hold masters degrees; (ii) are at the maximum of their pay range at the beginning of the third payroll period of the 1996-97 fiscal year; and (iii) are employed as speech and language specialists for the first three pay periods of the 1996-97 school year shall receive a one-time bonus of eight hundred eighty-five dollars (\$885.00), payable at the third payroll period of the 1996-97 school year. Speech pathologists who (i) hold doctoral degrees; (ii) are at the maximum of their pay range at the beginning of the third payroll period of the 1996-97 fiscal year; and (iii) are employed as speech and language specialists for the first three pay periods of the 1996-97 school year shall receive a one-time bonus of nine hundred ten dollars (\$910.00), payable at the third payroll period of the 1996-97 school year. Speech pathologists who (i) hold advanced degrees; (ii) are at the maximum of their pay range at the beginning of the third payroll period of the 1996-97 fiscal year; and (iii) are employed as speech and language specialists for the first three pay periods of the 1996-97 school year shall receive a one-time bonus of nine hundred ten dollars (\$910.00), payable at the third payroll period of the 1996-97 school year.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

SCHOOL-BASED ADMINISTRATOR SALARIES

Sec. 28.15. (a) Funds appropriated to the Reserve for Salary Increases shall be used for the implementation of the salary schedule for school-based administrators as provided in this section. These funds shall be used for State-paid employees only.

(b) The salary schedule for school-based administrators shall apply

only to principals and assistant principals. The salary schedule for the 1996-97 fiscal year, commencing September 1, 1996, is as follows:

Step	Asst.							
	Prin.	Prin.I	Prin.II	Prin.III	Prin.IV	Prin.V	Prin.VI	Prin.VII
0	--	--	--	--	--	--	--	--
1	--	--	--	--	--	--	--	--
2	--	--	--	--	--	--	--	--
3	--	--	--	--	--	--	--	--
4	\$ 2,576	--	--	--	--	--	--	--
5	2,627	--	--	--	--	--	--	--
6	2,680	--	--	--	--	--	--	--
7	2,734	--	--	--	--	--	--	--
8	2,789	\$2,789	--	--	--	--	--	--
9	2,845	2,845	--	--	--	--	--	--
10	2,902	2,902	\$2,960	--	--	--	--	--
11	2,960	2,960	3,019	--	--	--	--	--
12	3,019	3,019	3,079	\$3,141	--	--	--	--
13	3,079	3,079	3,141	3,204	\$3,268	--	--	--
14	3,141	3,141	3,204	3,268	3,333	\$3,400	--	--
15	3,204	3,204	3,268	3,333	3,400	3,468	--	--
16	3,268	3,268	3,333	3,400	3,468	3,537	\$3,608	--
17	3,333	3,333	3,400	3,468	3,537	3,608	3,680	\$3,754
18	3,400	3,400	3,468	3,537	3,608	3,680	3,754	3,829
19	3,468	3,468	3,537	3,608	3,680	3,754	3,829	3,906
20	3,537	3,537	3,608	3,680	3,754	3,829	3,906	3,984
21	3,608	3,608	3,680	3,754	3,829	3,906	3,984	4,064
22	3,680	3,680	3,754	3,829	3,906	3,984	4,064	4,145
23	3,754	3,754	3,829	3,906	3,984	4,064	4,145	4,228
24	3,829	3,829	3,906	3,984	4,064	4,145	4,228	4,313
25	3,906	3,906	3,984	4,064	4,145	4,228	4,313	4,399
26	3,984	3,984	4,064	4,145	4,228	4,313	4,399	4,487
27	4,064	4,064	4,145	4,228	4,313	4,399	4,487	4,577
28	4,145	4,145	4,228	4,313	4,399	4,487	4,577	4,669
29	4,228	4,228	4,313	4,399	4,487	4,577	4,669	4,762
30	4,313	4,313	4,399	4,487	4,577	4,669	4,762	4,857
31	4,399	4,399	4,487	4,577	4,669	4,762	4,857	4,954
32	--	4,487	4,577	4,669	4,762	4,857	4,954	5,053
33	--	--	4,669	4,762	4,857	4,954	5,053	5,154
34	--	--	4,762	4,857	4,954	5,053	5,154	5,257
35	--	--	--	4,954	5,053	5,154	5,257	5,362
36	--	--	--	5,053	5,154	5,257	5,362	5,469

37	--	--	--	--	5,257	5,362	5,469	5,578
38	--	--	--	--	--	5,469	5,578	5,690
39	--	--	--	--	--	--	5,690	5,804
40	--	--	--	--	--	--	5,804	5,920
41	--	--	--	--	--	--	--	6,038.

(c) The appropriate classification for placement of principals and assistant principals on the salary schedule shall be determined in accordance with the following schedule:

Classification	Number of Teachers Supervised
Assistant Principal	
Principal I	Less than 11 Teachers
Principal II	11-21 Teachers
Principal III	22-32 Teachers
Principal IV	33-43 Teachers
Principal V	44-54 Teachers
Principal VI	55-65 Teachers
Principal VII	More than 65 Teachers

The number of teachers supervised includes teachers and assistant principals paid from State funds only; it does not include teachers or assistant principals paid from non-State funds or the principal or teacher assistants.

(d) A principal shall be placed on the step on the salary schedule that reflects total number of years of experience as a certificated employee of the public schools and an additional step for every three years of experience as a principal, except that a principal shall not receive credit for a year of service performed during the 1995-96 fiscal year until September 1, 1996.

(e) Principals and assistant principals with certification based on academic preparation at the six-year degree level shall be paid a salary supplement of one hundred twenty-six dollars (\$126.00) per month and at the doctoral degree level shall be paid a salary supplement of two hundred fifty-three dollars (\$253.00) per month.

(f) There shall be no State requirement that superintendents in each local school unit shall receive in State-paid salary at least one percent (1%) more than the highest paid principal receives in State salary in that school unit: Provided, however, the additional State-paid salary a superintendent who was employed by a local school administrative unit for the 1992-93 fiscal year received because of that requirement shall not be reduced because of this subsection for subsequent fiscal years that the superintendent is employed by that local school administrative unit so long as the superintendent is entitled to at least that amount of additional State-paid salary under the rules in effect for the 1992-93 fiscal year.

(g) Longevity pay for principals and assistant principals shall be as provided for State employees.

(h) (1) If a principal is reassigned to a higher job classification because the principal is transferred to a school within a local school administrative unit with a larger number of State-allotted teachers, the principal shall be placed on the salary schedule as if the principal had served the principal's entire career as a principal at the higher job classification.

(2) If a principal is reassigned to a lower job classification because the principal is transferred to a school within a local school administrative unit with a smaller number of State-allotted teachers, the principal shall be placed on the salary schedule as if the principal had served the principal's entire career as a principal at the lower job classification.

This subdivision applies to all transfers on or after the ratification date of this act, except transfers in school systems that have been created, or will be created, by merging two or more school systems. Transfers in these merged systems are exempt from the provisions of this subdivision for one calendar year following the date of the merger.

(i) Except as provided in subsection (h) of this section, the salary of a principal or assistant principal shall not be less for the 1996-97 fiscal year than it was for the 1993-94 fiscal year solely as a result of placement on the salary schedule established in this section.

(j) The provisions of Section 7.19 of Chapter 507 of the 1995 Session Laws and the salaries, longevity, and salary supplements set by that section shall remain in effect through August 31, 1996, except that assistant principals and principals shall not receive credit for a year of service performed during the 1995-96 school year until September 1, 1996.

(k) Certified personnel of the public schools who are school administrators and who are at the maximum of their pay range as of September 1, 1996, shall receive a one-time bonus as set out in the table below payable September 1, 1996:

<u>Classification</u>	<u>Bonus Amount</u>
Asst. Principal	\$ 792
Asst. Principal Advanced	815
Asst. Principal Doctorate	837
Principal I	894
Principal I Advanced	919

Principal I Doctorate	945
Principal II	949
Principal II Advanced	974
Principal II Doctorate	999
Principal III	1,007
Principal III Advanced	1,032
Principal III Doctorate	1,057
Principal IV	1,047
Principal IV Advanced	1,072
Principal IV Doctorate	1,097
Principal V	1,090
Principal V Advanced	1,115
Principal V Doctorate	1,140
Principal VI	1,156
Principal VI Advanced	1,181
Principal VI Doctorate	1,207
Principal VII	1,203
Principal VII Advanced	1,228
Principal VII Doctorate	1,253.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

SCHOOL CENTRAL OFFICE SALARIES

Sec. 28.16. (a) The following monthly salary ranges apply to public school superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers for the 1996-97 fiscal year, beginning September 1, 1996:

- (1) School Administrator I: \$2,818 - \$4,533
- (2) School Administrator II: \$2,991 - \$4,811
- (3) School Administrator III: \$3,174 - \$5,106
- (4) School Administrator IV: \$3,302 - \$5,313
- (5) School Administrator V: \$3,435 - \$5,528
- (6) School Administrator VI: \$3,645 - \$5,867
- (7) School Administrator VII: \$3,792 - \$6,104

The local board of education shall determine the appropriate category and placement for each assistant superintendent, associate superintendent, director/coordinator, supervisor, or finance officer, within the salary ranges and within funds appropriated by the General Assembly for central office administrators and superintendents. The category in which an employee is placed shall be included in the contract of any employee hired on or after July 1, 1996.

(b) The following monthly salary ranges apply to public school superintendents for the 1996-97 fiscal year, beginning September 1, 1996:

- (1) Superintendent I (Up to 2,500 ADM): \$4,025 - \$6,478
- (2) Superintendent II (2,501 - 5,000 ADM): \$4,272 - \$6,874
- (3) Superintendent III (5,001 - 10,000 ADM) \$4,533 - \$7,295
- (4) Superintendent IV (10,001 - 25,000 ADM): \$4,811 - \$7,741
- (5) Superintendent V (Over 25,000 ADM): \$5,106 - \$8,215

The local board of education shall determine the appropriate category and placement for the superintendent based on the average daily membership of the local school administrative unit and within funds appropriated by the General Assembly for central office administrators and superintendents.

Notwithstanding the provisions of this subsection, a local board of education may pay an amount in excess of the applicable range to a superintendent who is entitled to receive the higher amount under Section 28.15(f) of this act.

(c) Longevity pay for superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers shall be as provided for State employees.

(d) Superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers with certification based on academic preparation at the six-year degree level shall receive a salary supplement of one hundred twenty-six dollars (\$126.00) per month in addition to the compensation provided for pursuant to this section. Superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers with certification based on academic preparation at the doctoral degree level shall receive a salary supplement of two hundred fifty-three dollars (\$253.00) per month in addition to the compensation provided for under this section.

(e) The State Board shall not permit local school administrative units to transfer State funds from other funding categories for salaries for public school central office administrators.

(f) The Director of the Budget shall transfer from the Reserve for Salary Increases created in this act for fiscal year 1996-97, beginning September 1, 1996, funds necessary to provide an average annual salary increase of four and five-tenths percent (4.5%), including funds for the employer's retirement and social security contributions, commencing September 1, 1996, for all permanent full-time personnel paid from the Central Office Allotment. The State Board of Education shall allocate these funds to local school administrative units. The local boards of education shall establish guidelines for providing their salary increases to these personnel.

(g) The provisions of Section 7.17 of Chapter 507 of the 1995 Session Laws shall remain in effect through August 31, 1996.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

NONCERTIFIED PUBLIC SCHOOL EMPLOYEES' SALARY INCREASE

Sec. 28.17. (a) The Director of the Budget may transfer from the Reserve for Salary Increases created in this act for fiscal year 1996-97, commencing with the third payroll period, funds necessary to provide a salary increase of four and five-tenths percent (4.5%), including funds for the employer's retirement and social security contributions, commencing with the third payroll period, for all noncertified public school employees, except school bus drivers, whose salaries are supported from the State's General Fund. These funds shall not be used for any purpose other than for the salary increases and necessary employer contributions provided by this subsection.

(b) The fiscal year 1995-96 pay rates adopted by local boards of education for school bus drivers shall be increased by at least four and five-tenths percent (4.5%), commencing with the third payroll period, to the extent that such rates of pay are supported by the allocation of State funds from the State Board of Education. Local boards of education shall increase the rates of pay for all school bus drivers who were employed during fiscal year 1995-96 and who continue their employment for fiscal year 1996-97 by at least four and five-tenths percent (4.5%), commencing with the third payroll period. The Director of the Budget may transfer from the salary increase reserve fund created in this act for fiscal year 1996-97, beginning with the third payroll period of the 1996-97 fiscal year, funds necessary to provide the salary increases for school bus drivers whose salaries are supported from the State's General Fund in accordance with the provisions of this subsection.

(c) The Director of the Budget may transfer from the Reserve for Salary Increases created in this act for fiscal year 1996-97, beginning with the third payroll period of the 1996-97 fiscal year, funds necessary to increase the minimum teacher assistant salary to grade 54.

Requested by: Representatives Holmes, Creech, Esposito

STUDY COMMISSION ON THE COMPREHENSIVE COMPENSATION SYSTEM

Sec. 28.18. (a) The Study Commission on the Comprehensive Compensation System is created. The Commission shall consist of nine members: three Representatives appointed by the Speaker of the House of Representatives, three Senators appointed by the President Pro Tempore of the Senate, and three members appointed by the Governor. The Speaker of the House of Representatives shall designate one Representative as cochair and the President Pro Tempore of the Senate shall designate one Senator as cochair. Vacancies in the membership of the Commission shall be filled by the same appointing officer who made the initial appointment.

(b) The Commission shall:

- (1) Evaluate the Comprehensive Compensation System

established in Article 2 of Chapter 126 of the General Statutes; and

- (2) Determine a methodology for funding the pay plan for State employees at varying levels of appropriations to fund State pay increases.

The Commission shall submit a final report of its findings and recommendations to the General Assembly on or before the first day of the 1997 Session by filing the report with the Speaker of the House of Representatives and the President Pro Tempore of the Senate. Upon filing its final report, the Commission shall terminate.

(c) The Commission, while in the discharge of official duties, may exercise all the powers provided for under the provisions of G.S. 120-19, and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call of the cochaIRS. The Commission may meet in the Legislative Building or the Legislative Office Building.

(d) Members of the Commission who are legislators shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1. Other members of the Commission shall receive reimbursement for travel expenses at the rates allowed by G.S.138-6.

(e) The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist in the work of the Commission. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to the Commission upon the direction of the Legislative Services Commission. The expenses relating to clerical employees shall be borne by the Commission.

(f) All State departments and agencies shall furnish the Commission with any information in their possession or available to them.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

SALARY ADJUSTMENT FUND

Sec. 28.19. Any remaining appropriations for legislative salary increases not required for that purpose may be used to supplement the Salary Adjustment Fund. These funds shall first be used to provide reclassifications of those positions already approved by the Office of State Personnel. The Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations prior to the allocation of these funds.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

TRAVEL EXPENSE REIMBURSEMENT STUDY

Sec. 28.20. The Office of State Budget and Management shall study the issue of whether the current system of reimbursement of State employees for job-related travel expenses is flexible enough to allow State employees to recover the actual cost of expenses incurred for lodging and meals, when the total of all such costs does not exceed the maximum statutory amount. If the Office of State Budget and Management finds that the current system is not flexible enough to allow State employees to recover all such expenses, the Office of State Budget and Management shall consider ways to make the system more flexible. The Office of State Budget and Management shall report the results of its study, including any proposed policy or statutory changes and the fiscal impact of such changes, to the Joint Legislative Commission on Governmental Operations, prior to February 1, 1997.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odum

POSTRETIREMENT BENEFIT INCREASES

Sec. 28.21. (a) G.S. 135-5 is amended by adding a new subsection to read:

"(bbb) From and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced on or before July 1, 1995, shall be increased by four and four-tenths percent (4.4%) of the allowance payable on July 1, 1995, in accordance with G.S. 135-5(o). Furthermore, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced after July 1, 1995, but before June 30, 1996, shall be increased by a prorated amount of four and four-tenths percent (4.4%) of the allowance payable as determined by the Board of Trustees based upon the number of months that a retirement allowance was paid between July 1, 1995, and June 30, 1996."

(b) G.S. 135-65 is amended by adding a new subsection to read:

"(q) From and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced on or before July 1, 1995, shall be increased by four and four-tenths percent (4.4%) of the allowance payable on July 1, 1995. Furthermore, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced after July 1, 1995, but before June 30, 1996, shall be increased by a prorated amount of four and four-tenths percent (4.4%) of the allowance payable as determined by the Board of Trustees based upon the number of months that a retirement allowance was paid between July 1, 1995, and June 30, 1996."

(c) G.S. 120-4.22A is amended by adding a new subsection to read:

"(k) In accordance with subsection (a) of this section, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries

whose retirement commenced on or before January 1, 1996, shall be increased by four and four-tenths percent (4.4%) of the allowance payable on January 1, 1996. Furthermore, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced after January 1, 1996, but before June 30, 1996, shall be increased by a prorated amount of four and four-tenths percent (4.4%) of the allowance payable as determined by the Board of Trustees based upon the number of months that a retirement allowance was paid between January 1, 1996, and June 30, 1996."

(d) G.S. 128-27 is amended by adding a new subsection to read:

"(rr) From and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced on or before July 1, 1995, shall be increased by four and four-tenths percent (4.4%) of the 10100 allowance payable on July 1, 1995, in accordance with G.S. 128-27(k). Furthermore, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced after July 1, 1995, but before June 30, 1996, shall be increased by a prorated amount of four and four-tenths percent (4.4%) of the allowance payable as determined by the Board of Trustees based upon the number of months that a retirement allowance was paid between July 1, 1995, and June 30, 1996."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

SALARY-RELATED CONTRIBUTIONS/EMPLOYERS

Sec. 28.22. Section 7.1(b) of Chapter 324 of the 1995 Session Laws, as amended by Section 7.22A of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(b) Effective July 1, 1995, July 1, 1996, the State's employer contribution rates budgeted for retirement and related benefits as a percentage of covered salaries for the 1995-96 1996-97 fiscal year are (i) ten and eighty-three hundredths percent (10.83%) - Teachers and State Employees; (ii) fifteen and eighty-three hundredths percent (15.83%) - State Law Enforcement Officers; (iii) nine and eighteen hundredths percent (9.18%) - University Employees' Optional Retirement Program; (iv) twenty-two and sixty-five hundredths percent (22.65%) - Consolidated Judicial Retirement System; and (v) ~~twenty-three and twenty-seven hundredths percent (23.27%)~~ twenty-four and fifty-eight hundredths percent (24.58%) - Legislative Retirement System. Each of the foregoing contribution rates includes two percent (2%) for hospital and medical benefits. The rate for State Law Enforcement Officers includes five percent (5%) for the Supplemental Retirement Income Plan. The rates for Teachers and State Employees, State Law Enforcement Officers, and for the University Employees' Optional Retirement Program includes fifty-two hundredths percent (0.52%) for the Disability Income Plan."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

STATE EMPLOYEE HEALTH BENEFIT PLAN/PREEXISTING HEALTH CONDITIONS

Sec. 28.23. (a) G.S. 135-40.1(15) reads as rewritten:

"(15) Preexisting Condition. -- A condition, disease, illness or injury ~~which existed or had its beginning to any degree, whether diagnosed or not,~~ diagnosed and treated within six months prior to the effective date of coverage."

(b) G.S. 135-40.3(b) is amended by adding a new subdivision to read:

"(5) To administer the 12-month waiting period for preexisting conditions under this Article, the Plan must give credit against the 12-month period for the time that a person was covered under a previous plan if the previous plan's coverage was continuous to a date not more than 60 days before the effective date of coverage. As used in this subdivision, a 'previous plan' means any policy, certificate, contract, or any other arrangement provided by any accident and health insurer, any hospital or medical service corporation, any health maintenance organization, any preferred provider organization, any multiple employer welfare arrangement, any self-insured health benefit arrangement, any governmental health benefit or health care plan or program, or any other health benefit arrangement."

(c) This section is effective July 1, 1995.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

STATE EMPLOYEE HEALTH BENEFIT PLAN/SKILLED NURSING FACILITY BENEFITS IN FACILITIES NOT MEDICARE-QUALIFIED

Sec. 28.24. G.S. 135-40.6(3) reads as rewritten:

"(3) Skilled Nursing Facility Benefits. -- The Plan will pay benefits in a skilled nursing facility ~~which qualifies for delivery of benefits under Title XVIII of the Social Security Act (Medicare),~~ licensed under applicable State laws as follows:

After discharge from a hospital for which inpatient hospital benefits were provided by this Plan for a period of not less than three days, and treatment consistent with the same illness or condition for which the covered individual was hospitalized, the daily charges will be paid for room and board in a semiprivate room or any multibed unit up to the

maximum benefit specified in subsection (1) of this section, less the days of care already provided for the same illness in a hospital. Plan allowances for total daily charges may be negotiated but will not exceed the daily semiprivate hospital room rate as determined by the Plan.

Credit will be allowed toward private room charges in an amount equal to the facility's most prevalent charge for semiprivate accommodations. Charges will also be paid for general nursing care and other services which would ordinarily be covered in a general hospital. In order to be eligible for these benefits, admission must occur within 14 days of discharge from the hospital.

In order to qualify for benefits provided by a skilled nursing facility, the following stipulations apply:

- a. The services are medically required to be given on an inpatient basis because of the covered individual's need for skilled nursing care on a continuing basis for any of the conditions for which he or she was receiving inpatient hospital services prior to transfer from a hospital to the skilled nursing facility or for a condition requiring such services which arose after such transfer and while he or she was still in the facility for treatment of the condition or conditions for which he or she was receiving inpatient hospital services,
- b. Only on prior referral by and so long as, the patient remains under the active care of an attending doctor who certifies that continual hospital confinement would be required without the care and treatment of the skilled nursing facility, and
- c. Approved in advance by the Claims Processor.

For facilities not qualified for delivery of services covered by the benefits of Title XVIII of the Social Security Act (Medicare), neither the Plan nor any of its members shall be billed or held liable by such facilities for charges that otherwise would be covered by Medicare."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom, Ballance, Rand

REDEFINE SERVICE FOR PURPOSES OF LONGEVITY PAY FOR PUBLIC DEFENDERS

Sec. 28.25. G.S. 7A-465(b) reads as rewritten:

"(b) The public defender shall be an attorney licensed to practice law in North Carolina, and shall devote his full time to the duties of his office.

In lieu of merit and other increment raises paid to regular State employees, a public defender shall receive as longevity pay an amount equal to four and eight-tenths percent (4.8%) of the annual salary set forth in the Current Operations Appropriations Act payable monthly after five years of service, nine and six-tenths percent (9.6%) after 10 years of service, fourteen and four-tenths percent (14.4%) after 15 years of service, and nineteen and two-tenths percent (19.2%) after 20 years of service. 'Service' means service as a public defender, defender, assistant public defender, justice or judge of the General Court of Justice, or clerk of superior court."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

MECKLENBURG LAW OFFICERS' EMERGENCY AND PENSION FUND CHANGE

Sec. 28.26. (a) Section 5 of Chapter 446 of the Public-Local Laws of 1931, as amended by Section 1 of Chapter 305 of the 1967 Session Laws, is rewritten to read:

"Sec. 5. The funds accumulated under this act shall be known as the 'Emergency and Pension Fund of the County of Mecklenburg' and shall be used as a fund for all arresting officers, as defined in Section 2 of this act, and their families. If an officer while in the actual performance of that officer's duties is killed, the board may pay any amount up to a maximum of ten thousand dollars (\$10,000) as a death benefit to the surviving spouse of the deceased officer. If the officer is not married at the time of death, the board may pay any amount up to a maximum of ten thousand dollars (\$10,000) to the nearest dependent next of kin of the deceased. It is further the true intent, meaning, and purpose of this act that the board may pay any amount less than the amount specified, and the board may refuse to make a payment of any amount in any case in any or all of the classes enumerated in this act. Further, the board may use monies from the fund to award scholarships to dependent children of officers who are either killed while in the performance of their duties or who are rendered totally disabled as a result of an injury received while in the performance of their duties. The maximum scholarship amount shall be two thousand five hundred dollars (\$2,500) per child."

(b) Nothing in this section shall create any liability for the Emergency and Pension Fund of the County of Mecklenburg unless there are sufficient current assets in the Fund to pay fully for the liability. Under no circumstances shall the State incur any liability as a result of this section.

PART 29. MISCELLANEOUS PROVISIONS

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

EXECUTIVE BUDGET ACT APPLIES

Sec. 29. The provisions of the Executive Budget Act, Chapter 143, Article 1 of the General Statutes, as amended by this act, are reenacted and shall remain in full force and effect and are incorporated in this act by reference.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

CONFERENCE REPORT

Sec. 29.1. (a) The Joint Appropriations Committee House/Senate Conference Report on Budget Modifications, dated August 3, 1996, together with any accompanying correction sheets, which was distributed in the Senate and used to explain this act, shall indicate action by the General Assembly on this act and shall therefore be used to construe this act, as provided in G.S.143-15 of the Executive Budget Act, and for these purposes shall be considered a part of this act.

(b) The budget enacted by the General Assembly for the maintenance of the various departments, institutions, and other spending agencies of the State for the 1995-97 fiscal biennium is a line item budget, in accordance with the Budget Code Structure and the State Accounting System Uniform Chart of Accounts set out in the Administrative Policies and Procedures Manual of the Office of the State Controller. This budget includes the appropriations made from all sources including the General Fund, Highway Fund, special funds, cash balances, federal receipts, and departmental receipts.

The General Assembly amended the itemized budget requests submitted to the General Assembly by the Director of the Budget and the Advisory Budget Commission, in accordance with the steps that follow and the line item detail in the budget enacted by the General Assembly may be derived accordingly:

- (1) Negative reserves set out in the submitted budget were deleted and the totals were increased accordingly.
- (2) The base budget was adjusted in accordance with the base budget cuts and additions that were set out in the Joint Appropriations Committee House/Senate Conference Report on Budget Modifications, dated August 3, 1996, together with any accompanying correction sheets.
- (3) Transfers of funds supporting programs were made in accordance with the Joint Appropriations Committee House/Senate Conference Report on Budget Modifications, dated August 3, 1996, together with any accompanying correction sheets.

The budget enacted by the General Assembly shall also be

interpreted in accordance with the special provisions in this act and in accordance with other appropriate legislation.

In the event that there is a conflict between the line item budget certified by the Director of the Budget and the budget enacted by the General Assembly, the budget enacted by the General Assembly shall prevail.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

MOST TEXT APPLIES ONLY TO 1996-97

Sec. 29.2. Except for statutory changes or other provisions that clearly indicate an intention to have effects beyond the 1996-97 fiscal year, the textual provisions of this act apply only to funds appropriated for, and activities occurring during, the 1996-97 fiscal year.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

1995-96 APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY

Sec. 29.3. (a) Except where expressly repealed or amended by this act, the provisions of Chapters 324 and 507 of the 1995 Session Laws remain in effect.

(b) Notwithstanding any modifications by this act in the amounts appropriated, except where expressly repealed or amended, the limitations and directions for the 1995-96 fiscal year in Chapters 324 and 507 of the 1995 Session Laws that applied to appropriations to particular agencies or for particular purposes apply to the newly enacted appropriations and budget reductions of this act for those same particular purposes.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

EFFECT OF HEADINGS

Sec. 29.4. The headings to the parts and sections of this act are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

SEVERABILITY CLAUSE

Sec. 29.5. If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part so declared to be unconstitutional or invalid.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

EFFECTIVE DATE

Sec. 29.6. Except as otherwise provided, this act becomes effective July 1, 1996.

1996 HOUSE OF REPRESENTATIVES SECOND EXTRA SESSION OFFICERS AND STAFF

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Appropriations-Natural and Economic Resources

Joint Caucus Leader

Appropriations-Human Resources

Appropriations- General Government

Watts, Anglé

Appropriations-
General Government

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Wilson, Anne

Wilson, Frances

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Local and Regional Government I

The North Carolina General Assembly is the state's legislative body. It is composed of two chambers: the House of Representatives and the Senate. The House has 120 members, and the Senate has 50 members. They meet in the North Carolina State Capitol in Raleigh. The General Assembly is responsible for passing laws, approving the budget, and confirming or rejecting appointments made by the Governor.

The House of Representatives is the lower chamber of the General Assembly. Its members are elected by the people of the state. The Senate is the upper chamber, and its members are elected by the people of the state.

The General Assembly meets in regular sessions twice a year, in January and May. It also holds special sessions when called by the Governor. The House and Senate have their own rules and procedures for conducting business.

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All bills dealing with funds are indexed under Appropriations, Local or Appropriations, Public. Local legislation is placed under the county it affects.

A list of bills and resolutions introduced by each Representative is found under the member's name with an asterisk (*) noting that person as the primary sponsor.

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CONFeree: H.B. 52 (Co-Chair), H.B. 53 (Co-Chair)

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-K-**KISER, JOE L.**

BILLS INTRODUCED - *36, 42, 43, 44, 45, 79.

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H 52 1996-97 BUDGET CHANGES

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-M-**MARTIN COUNTY**

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BILL INTRODUCED - 60.

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BILL INTRODUCED - *12.

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BILLS INTRODUCED - NONE.

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BILLS INTRODUCED - NONE.

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BILL INTRODUCED - 7.

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BILL INTRODUCED - *8.

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CONFEREE: H.B. 52, H.B. 53

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- H 52 1996-97 BUDGET CHANGES
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- S 46 1996 STUDIES
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- H 52 1996-97 BUDGET CHANGES
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- H 53 MODIFY 1996-97 BUDGET
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BILLS INTRODUCED - 7, *21, 37, 38, 42, 44, 45, 52, 53, 79.

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- H 52 1996-97 BUDGET CHANGES
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BILL INTRODUCED - 60.
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